

or lessee of any land or any present interest therein, on which any stream is located, in whole or in part, which overflows its banks and floods the land of other persons under cultivation, to keep the timber, under brush and drifts cleared out of the channels and off the shoals of such creek, making the failure to do so a misdemeanor, prescribing a penalty and declaring an emergency."

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Dudley, Chairman; Hertzberg, Faust, Buchanan of Scurry, Hall.

#### FOURTEENTH DAY.

Senate Chamber,  
Austin, Texas, July 10, 1919.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Gibson.
Bailey.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Smith.

Absent—Excused.

McNealus.

Prayer by Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

Excused.

Senator McNealus was excused for today on account of sickness, on motion of Senator Clark.

#### Committee Appointments.

Pursuant to the provisions of S. C. R. No. 13, I hereby appoint, Senators Witt, Faust, Dayton, Floyd, and Gibson, as a committee on the part of the Senate to carry into effect the provisions of the said resolution.

W. A. JOHNSON,  
President of the Senate.

#### Petitions and Memorials.

See Appendix.

#### Standing Committee Reports.

See Appendix.

#### Bills and Resolutions.

By Senators Page and McNealus:  
S. B. No. 125, A bill to be entitled "An Act to amend Chapter 160 of the General Laws passed at the regular Session of the Thirty-sixth Legislature, being an Act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including the fixing of a minimum wage; providing for an appropriation therefor and fixing penalties for violation of this Act; and declaring an emergency."

By Senator Dudley:  
S. B. No. 126, A bill to be entitled "An Act to provide for the Live Stock Sanitary Commission of Texas or its authorized representatives to sell the hides of any predatory animals killed under the authority of Chapter 107 of the Acts of the Regular Session of the Thirty-sixth Legislature, and remit such funds to the State Treasurer, and such funds be set apart to be drawn and used by the Live Stock Sanitary Commission for the further eradication of predatory animals, under authority of said Chapter 107; and declaring an emergency."

Read first time and referred to Committee on Stock and Stock Raising.

By Senator Johnston:  
S. B. No. 127, A bill to be entitled "An Act to amend Subdivision 6 Ar-

title 7507 in Chapter 11 of Title 126 of the Revised Civil Statutes of the State of Texas and exempt from taxation institutions of purely Public Charity and their real personal and mixed estate, including, buildings, grounds, moneys, securities, lands, credits, endowments and all assets, the rents, income, proceeds and increase thereof, and regulating such exemptions, and defining institutions of purely Public Charity, and defining the word "institutions" as used in the phrase "Institutions of Purely Public Character" in Article VIII, Section 2 of the Constitution of Texas; and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Williford:

S. B. No. 128, A bill to be entitled "An Act to amend Chapter 33 of the General Laws of the State of Texas, passed by the Thirty-fifth Legislature at its Regular Session, which is entitled 'An Act to establish a branch of the Agricultural and Mechanical College of Texas at Stephenville, Erath County, Texas, and to be known as the John Tarleton Agricultural College; providing for the government and control of said institution; providing for the acceptance of donations of land, buildings and money offered by citizens of Stephenville and Erath County; providing for a Students' Loan Fund, and defining the leading objects and prescribing generally the nature and scope of instruction to be given in said College, and conferring upon the Board of Directors of said College the right of eminent domain; and declaring an emergency."

Rear first time and referred to Committee on Finance.

By Senator Williford:

S. B. No. 129, A bill to be entitled "An Act empowering the Board of Directors of the Agricultural and Mechanical College of Texas to purchase additional lands, define the usage to which said board shall make of said lands; provide that said board shall have authority to grant leases on certain parts of said land for certain specific purposes; providing further that the board shall have authority to make all necessary regulations to safeguard the interests of the State in the use of said lands; providing for the appropriating of

One Hundred and Twenty-five Thousand Dollars (\$125,000) or as much thereof as may be necessary for the purpose referred to in this Act out of the general revenues for the fiscal year beginning September 1, 1919; giving the board further authority to institute condemnation proceedings to determine the price of the land if the price can not be agreed upon between said board and the owners of said land; and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Caldwell:

S. B. No. 130, A bill to be entitled "An Act to make certain emergency appropriations out of the general revenue for the Texas Ranger Force for the fiscal year ending August 31, 1919; and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Dorrough:

S. B. No. 131, A bill to be entitled "An Act to amend Article 1606, Chapter 5, of the Revised Civil Statutes of Texas of 1911 as amended by an Act approved February 24, 1905, by the Twenty-ninth Legislature, Regular Session, relating to the employment and salaries of stenographers of Courts of Civil Appeals, and fixing the salaries of stenographers of Courts of Civil Appeals, and declaring an emergency, and providing that the Act take effect from its passage, and repealing all laws or parts of laws in conflict with the provisions of this Act."

By Senator Alderdice.

S. B. No. 132, A bill to be entitled "An Act levying a State ad valorem tax for school purposes; making an appropriation of the funds so raised for the years ending August 31, 1920, and August 31, 1921; providing that from the funds arising under said tax the State Board of Education shall set apart an amount sufficient to purchase and distribute the necessary school books for the use of the pupils of this State for the scholastic year; repealing all laws in conflict herewith; and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Bailey.

S. B. No. 133, A bill to be entitled

"An Act to amend Article 3866, Chapter 3, Title 58, of the Revised Civil Statutes of Texas of 1911, so as to provide the ex-officio compensation that may be paid by the commissioners court of the various counties of this State to the sheriffs thereof; and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senators Suitor and Page:

S. B. No. 134, A bill to be entitled "An Act to amend Chapter 141, General Laws of the State of Texas, passed by the Thirty-sixth Legislature at its Regular Session, and approved March 24, 1919, which Chapter is an Act amending Sections 12, 13 and 16 of Chapter 10, of the Acts of the Thirty-first Legislature passed at its Fourth Called Session; providing that the Prison Commission shall purchase machinery, tools and supplies necessary to meet the needs of the Penitentiary, and may establish such factories as in their judgment may be practicable, and providing that the Prison Commissioners shall not have power to purchase or sell any real estate, except as they are directed to do so by the Legislature; provided that the Prison Commission, with the approval of the Governor, may purchase real estate contracted for prior to the passage of this Act; providing how land purchased for the Penitentiary is to be paid for and authorizing the Prison Commission to lease real estate, and describing certain duties of the Attorney General in connection with the purchase and sale of land; the purpose of this amendment being to add two new sections immediately following Section 2 of said Act of the Legislature and to be known as Section 2a and 2b, which provide, in substance, the approval of the Legislature of the purchase by the Prison Commission of certain lands under options authorizing it so to do contained in two certain lease contracts from Bassett Blakeley to the Prison Commission, first of date February 1, 1916, and the second of date, July 9, 1918, and to enforce, if necessary, by appropriate action or actions the said options and the rights of the Prison Commission thereunder by such action or actions as they may be advised by the Attorney General; and declaring an emergency."

Read first time and referred to Committee on Penitentiaries.

By Senator Cousins:

S. B. No. 135, A bill to be entitled "An Act to amend Chapter 28 of the Acts of the Thirty-fifth Legislature, First Called Session, approved May 19, 1917, amending Chapter 15, Title 48, of the Revised Civil Statutes of the State of Texas by adding Article 2815c, so as to provide that said Article 2815c shall not be applicable in the case of any city which votes to extend its city limits without affecting an adjacent school district or districts, a portion or portions of which may be included within such city limits as extended; and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Faust:

S. B. No. 136, A bill to be entitled "An Act to amend Title 126, Chapter 1, Article 7355, Sections 26, 27, 30 and 36, of the Revised Civil Statutes of 1911 and to repeal all laws in conflict therewith by providing that Sections 26, 27 and 36 of Article 7355, of the Revised Civil Statutes of 1911, shall not apply to cities and towns of a population of less than 2,500 inhabitants; and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Dean:

S. B. No. 137, A bill to be entitled "An Act making it the duty of every oil pipe-line company or concern or individual doing a pipe-line business in the State of Texas to make to the Comptroller of this State and the Railroad Commission of this State a written report, verified under oath, showing the number of barrels crude petroleum oil, run or piped by it or by him and produced in this State, whether the same be its or his own production, or piped for the account of or purchased for the producers of oil during the next preceding quarter; providing what such reports shall embrace and contain, and when they shall be made; providing penalties for failure to comply with the provisions of this Act; and declaring an emergency."

Read first time and referred to Committee on Internal Improvement.

By Senator Dean:

S. B. No. 138, A bill to be entitled "An Act to create and establish Common School District No. 20 in Walker County, Texas, out of a part of the territory now embraced in Common School District No. 14 of said county, etc., and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Williford:

S. B. No. 139, A bill to be entitled "An Act granting to Brazos County a more efficient and better road law; prescribing ways and means of conducting and supervising public road work in Brazos County; providing that there shall be levied and collected a tax from every male person between the ages of twenty-one and forty-five, resident within Brazos County on the first day of January of each year outside the corporate limits of any incorporated town an annual road tax of six dollars, for the benefit of public roads and bridges, to be expended under the direction of the Commissioners court; and providing that the tax collector shall furnish to the commissioners court, at its regular term in February, a complete list of the names of all persons, the precincts of their residence against whom a road tax has been assessed, and has failed to pay same; and providing that upon failure of said persons to pay said tax, shall be summoned to work five days on the public road in their respective precincts, providing that they shall perform a reasonable amount of work on the public roads under the direction of the persons in charge of same, and a failure to do so, they shall be prosecuted; providing that eight hours shall constitute a day's work. Said Act further providing that the commissioners court have authority to appoint superintendents of roads and prescribe their duties; providing that the commissioners be ex-officio road commissioners of their respective precincts; defining their duties in reference to roads and providing that a bond be executed by them for the sum of one thousand dollars, payable to county judge; providing further that when any defined district of the county as a whole go to issue bonds provided under general law for permanent road improvement, that there be created a board of permanent road commissioners defining their duties, manner of selection, their

qualifications, term of office, providing for filling of vacancies; providing for their compensation and for their giving bond; Providing further that this Act to be accumulative of all general and special laws of the State of Texas applicable to Brazos County, when not in conflict with the provisions of this Act, in which case the provisions of this Act shall prevail; requiring the courts to take notice of this Act without being specially plead and proved; and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

### Messages from the Governor.

Governor's Office,  
Austin, Texas, July 9, 1919.

To the Thirty-sixth Legislature in Second Called Session.

Gentlemen: At the request of Representative Barry Miller, I beg to submit for your consideration, the following subject, to-wit:

"An Act providing for the appointment of official stenographer for grand juries of Dallas and Bexar Counties by the judges of the district courts presiding over same, and prescribing their qualifications and duties, and providing for their compensation, and prescribing the time and method of transcribing and furnishing to the district or county attorneys of said counties the evidence adduced and given before said grand juries in the investigation of crimes and offenses coming before such bodies, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, July 9, 1919.

To the Thirty-sixth Legislature in Second Called Session.

Gentlemen: At the request of Senator Johnston, I beg to submit for your consideration the following subject, to-wit:

"An Act to amend Subdivision 6 of Art. 7507 in Chapter 11 of Title 126 of the Revised Civil Statutes of the State of Texas, and to exempt from taxation institutions of purely personal charity and their real, personal and mixed estate, including buildings, grounds, moneys, securities, lands, credits, endowments and all assets,

the rents, income proceeds and increase thereof, and regulating such exemptions, and defining institutions of purely public charity, and defining the word "institutions" as used in the phrase "institutions of purely public character" in Article 11, Section 2 of the Constitution of Texas and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, July 9, 1919.

To the Thirty-sixth Legislature in Second Called Session.

At the request of Representative John E. Davis, of Dallas, I submit for your consideration the following subject to-wit: "An Act to amend Article 4081 of the Revised Civil Statutes of the State so as to provide for the appointment of a guardian of a person of unsound mind or an habitual drunkard, etc."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, July 9, 1919.

To the Thirty-sixth Legislature in Second Called Session.

Numerous complaints have been laid before me by the people residing along the Pecos River, in western Texas, to the effect that Texas is not getting its proper share of the waters of the Pecos River because of the increased diversion plants that are being established in New Mexico. In an action by the State of Kansas against the State of Colorado, carried to a conclusion in the Supreme Court of the United States, the principal that each state is entitled to its fair share of the total discharge of interstate streams, was established. At my suggestion, there is now in progress an investigation of the conditions along the Pecos River in Texas and the Pecos River in New Mexico, which investigation is being conducted by the Board of Water Engineers and the Attorney General of Texas to determine whether the rights of Texas people are in jeopardy.

In view of these facts, and at the request of Senator Dudley and numerous citizens of the western part of the State, I submit to you the question of such action as will authorize the Attorney General of the State and the Board of Water Engineers in institute

whatever legal proceedings necessary to protect Texas interests in this regard.

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, July 9, 1919.

To the Thirty-sixth Legislature in Second Called Session.

I submit for your consideration the following subject, to-wit:

"An Act empowering the Board of Directors of the Agricultural and Mechanical College of Texas to purchase additional lands, etc."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, July 9, 1919.

To the Thirty-sixth Legislature in Second Called Session.

I submit for your consideration the following subject, to-wit:

"An Act to amend Chapter 33 of the General Laws of the State of Texas passed by the Thirty-fifth Legislature at its regular session, which is entitled, 'An Act to establish a branch of the Agricultural and Mechanical College of Texas at Stephenville, Texas, to be known as the John Tarlton Agricultural College,' etc."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, July 9, 1919.

To the Thirty-sixth Legislature in Second Called Session:

Gentlemen: I beg to submit for your consideration the following subject, to-wit:

"An Act to provide for the Live Stock Sanitary Commission of Texas or its authorized representatives to sell the hides of any predatory animals killed under authority of Chapter 107 of the Acts of the Regular Session of the Thirty-sixth Legislature, and remit such funds to the State Treasurer, and such funds set apart to be drawn and used by the Live Stock Sanitary Commission for the further eradication of predatory animals under authority of said Chapter 107."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, July 9, 1919.  
To the Thirty-sixth Legislature in  
Second Called Session.

Gentlemen: At the request of Representatives O. G. Black and Jones of Bexar County, I beg to submit for your consideration the following subject, to-wit:

"An Act to amend Section 1, Chapter 68, General Laws of the Thirty-fifth Legislature of the State of Texas, 1917, entitled 'An Act to amend Article 1143, Chapter 3, Title 15, of the Code of Criminal Procedure, as mentioned by Chapter 20, of the Acts of the State of Texas, relating to the pay of jail guards, and defining the number of hours constituting a day,' and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, July 9, 1919.  
To the Thirty-sixth Legislature in  
Second Called Session.

At the request of Hon John E. Davis of Dallas, I submit for your consideration the following subject, to-wit:

"An Act to amend Chapter 57 of the Special Laws of the Regular Session of the Thirty-fifth Legislature, same being 'An Act creating a more efficient road law for Dallas County,' etc."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, July 10, 1919.  
To the Thirty-sixth Legislature in  
Second Called Session.

At the request of Representative Satterwhite, I submit for your consideration the following subject, to-wit:

"An Act creating an independent school district to be known as 'Texline Independent School District.'"

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, July 10, 1919.  
To the Thirty-sixth Legislature in  
Second Called Session.

At the request of Representative Kittrell, I beg to submit for your consideration the following subject:

"An Act adding to Chapter 17 of the Harris County Road Law passed by a

regular session of the Thirty-third Legislature of the State of Texas," etc.

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, July 10, 1919.

To the Thirty-sixth Legislature in  
Second Called Session.

Gentlemen: I submit for your consideration such emergency appropriations as may be needed by the various departments of the State Government and State institutions for the remainder of the fiscal years ending August 31, 1919.

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, July 10, 1919.

To the Thirty-sixth Legislature in  
Second Called Session:

Gentlemen: At the request of Senator Bailey, I beg to submit for your consideration, the following subject, to-wit:

"An Act to amend Article 3868, Chapter 3, Title 58 of the Revised Civil Statutes of Texas of 1911, so as to provide the ex-officio compensation that may be paid by the commissioners courts of the various counties of this State to the sheriffs thereof, and declaring an emergency."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, July 10, 1919.

To the Thirty-sixth Legislature in  
Second Called Session.

At the request of Representative Peyton, of Trinity County, I submit for your consideration the following subject, to-wit:

"An Act to amend Chapter 60, Acts of the Regular Session of the Thirty-fifth Legislature, 1917, so as to transfer Trinity County from Zone No. 2 to Zone No. 3."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office,  
Austin, Texas, July 9, 1919.

To the Thirty-sixth Legislature in  
Second Called Session.

At the request of Representative R. D. Thompson, I submit for your con-

sideration the following subject, to-wit:

"An Act declaring all cotton gins to be public service institutions and requiring all owners and lessees thereof to obtain license and execute bond before operating same, etc."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

#### Senate Concurrent Resolution No. 18.

Whereas, the Supreme Court of the United States has held that upon interstate streams, the right to proper division of the waters of said streams between the residents of all the states through which such rivers meander, is a principle that may be sustained in an action in which all the facts will be considered, to the end that no State will lose any of its rights, and all States shall have equal opportunity and benefit, and

Whereas, the Pecos River, which rises in New Mexico and flows through Texas, is important to the people of this State who have established extensive diversion works for the irrigation of arid and semi-arid lands that are susceptible of intensive cultivation when the supply of water from said river is available, and

Whereas, the increase in the diversion of the water of said stream by the people of New Mexico, if not restrained by the rights of those so engaged, will be a detriment to the interests of the people of Texas and result in serious financial loss, and

Whereas, Texas is entitled to a proper division of the water supply of the Pecos River, and there should be some determination whether that equitable division is being allowed, and

Whereas the Board of Water Engineers of the State of Texas, and the Attorney General of the State of Texas are now making an investigation to determine the equitable rights of the people of Texas and the legal questions involved in said controversy regarding the waters of this stream; Now, Therefore, Be it

Resolved, by the Senate of the Legislature of the State of Texas, the House concurring: That if after the investigation now being conducted by the Board of Water Engineers of the State of Texas and

the Attorney General of the State of Texas, it is the conclusion of these departments, that the rights of the people of Texas to the waters of the Pecos River are infringed by the diversion of said waters by the people of the State of New Mexico, or by any other agency, that the Attorney General be authorized to institute such legal proceedings as are necessary, in the name of the State of Texas, or in the name or names of individuals, irrigation companies, irrigation districts or the Board of Water Engineers of the State of Texas, as in his judgment should be done, to secure an adjudication of the controversy that has become of importance to the users of water from said Pecos River.

DUDLEY.

The resolution was read and adopted.

#### Simple Resolution No. 24.

Resolved, That the Sergeant-at-Arms furnish the Journal Clerk and Secretary each, not to exceed, \$5.00 in stamps for use during the Special Session.

CALDWELL.

The resolution was read and adopted.

#### House Bill No. 18.

The Chair laid before the Senate on third reading:

H. B. No. 18, A bill to be entitled "An Act creating and incorporating the Tokio Independent School District, etc.; and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Scurry, was passed by the following vote:

Yeas—29.

Alderdice.	Dorough.
Bailey.	Dudley.
Buchanan of Bell.	Faust.
Buchanan of Scurry.	Floyd.
Caldwell.	Gibson.
Carlock.	Hall.
Clark.	Hertzberg.
Cousins.	Honkins.
Dayton.	Johnston.
Dean.	Page.

Parr.  
Rector.  
Smith.  
Strickland.  
Suiter.

Westbrook.  
Williford.  
Witt.  
Woods.

Absent—Excused.

McNealus.

#### House Bill No. 6.

The Chair laid before the Senate on third reading:

H. B. No. 6, A bill to be entitled "An Act to amend Chapter 21, Acts of the First Called Session of the Thirty-first Legislature, 1917, being 'An Act amending Article 6086, Revised Civil Statutes, Chapter 50, Title 100, providing for the appointment by the Governor of two members of the Board of Prison Advisors, fixing their salary,' and declaring an emergency."

The bill was laid before the Senate, read third time and on motion of Senator Dean was passed finally.

#### House Bill No. 48.

The Chair laid before the Senate on third reading:

H. B. No. 48, A bill to be entitled "An Act to amend Section 11 of House Bill No. 175, enacted at the Fourth Called Session of the Legislature, defining the boundaries of the Woodrow Common School District No. 21, in Lubbock County, Texas; revising the metes and bounds of said district; continuing in full force and effect all legal debts, obligations and taxes heretofore legally authorized therein, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Scurry was passed by the following vote:

Yeas—29.

Alderdice.	Dorough.
Bailey.	Dudley.
Buchanan of Bell.	Faust.
Buchanan of Scurry.	Floyd.
Caldwell.	Gibson.
Carlock.	Hall.
Clark.	Hertzberg.
Cousins.	Hopkins.
Dayton.	Johnston.
Dean.	Page.

Parr.  
Rector.  
Smith.  
Strickland.  
Suiter.

Westbrook.  
Williford.  
Witt.  
Woods.

Absent—Excused.

McNealus.

#### House Bill No. 49.

The Chair laid before the Senate on third reading:

H. B. No. 49, A bill to be entitled "An Act to create and establish the Phoenix Independent School District in Kaufman County, Texas; defining its boundaries."

The bill was laid before the Senate, read third time and on motion of Senator Woods was passed finally.

#### House Bill No. 30.

The Chair laid before the Senate on third reading:

H. B. No. 30, A bill to be entitled "An Act to repeal House Bill No. 631, Chapter 94, Special Laws of the Regular Session of the Thirty-sixth Legislature, State of Texas."

The bill was laid before the Senate, read third time, and on motion of Senator Cousins was passed by the following vote:

Yeas—29.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Absent—Excused.

McNealus.

#### House Bill No. 22.

The Chair laid before the Senate on third reading:

H. B. No. 22, A bill to be entitled



"An Act creating an independent school district to be known as Galatin Independent School District, in Cherokee County."

The bill was laid before the Senate, read third time, and on motion of Senator Strickland was passed by the following vote:

Yeas—29.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Absent—Excused.

McNealus.

House Bill No. 32.

The Chair laid before the Senate on third reading:

H. B. No. 32, A bill to be entitled "An Act to amend Section 1 of a special act, entitled An Act enlarging and giving boundaries of Independent School District No. 1, Sterling County, for school purposes, making such old district subject to schoolhouse bonds outstanding and providing for a board of equalization of said district and defining its duties; placing all the territory included in such district under the jurisdiction of the board of trustees of such new district, and giving such board of trustees all authority now, or that may hereafter be given under the general laws regulating independent school districts not in conflict with this act, and validating the incorporation of the former district, not in conflict with this act," enacted at the Regular Session of the Thirty-fourth Legislature of the State of Texas, approved on January 23, 1915, so as to include in the school district thus formed additional territory and declaring an emergency."

The bill was laid before the Senate, read third time, and on motion of Senator Buchanan of Scurry was passed by the following vote:

Yeas—29.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Absent—Excused.

McNealus.

House Bill No. 19.

The Chair laid before the Senate on third reading:

H. B. No. 19, A bill to be entitled "An Act creating and incorporating the Gomez Independent School District in Terry County, Texas, and defining the boundaries thereof; providing for a board of trustees thereof, and defining their powers and authority, authorizing said board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds therefor; providing for an assessor and collector of taxes thereof, and providing for a board of equalization of said district; providing for an election of trustees thereof, and providing for an emergency."

The bill was laid before the Senate, read third time, and on motion of Senator Buchanan of Scurry was passed by the following vote:

Yeas—29.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Absent—Excused.

McNealus.

## House Bill No. 10.

The Chair laid before the Senate on third reading:

H. B. No. 10, A bill to be entitled "An Act creating the Rangerville Independent School District in Cameron County, Texas, and defining its boundaries; providing for the election and qualification of a board of trustees therefor; providing for the selection of a secretary, assessor and collector of taxes and all other necessary officers and committees, and prescribing their qualifications; investing said district with all the rights, powers, privileges and duties of a town or village incorporated under the general laws of the State for free school purposes only, and declaring an emergency."

The bill was laid before the Senate, read third time and on motion of Senator Parr was passed by the following vote:

Yeas—29.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Sulter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Absent—Excused.

McNealus.

## House Bill No. 13.

The Chair laid before the Senate on third reading:

H. B. No. 13, A bill to be entitled "An Act to provide for a Board of Permanent Road Commissioners for Titus County, Texas, its powers and duties; validating an election held in said county on March 15, A. D., 1919, whereat a two-thirds majority of the property taxpaying voters of said county voting at said election

voted for the issuance of the coupon bonds of said county to the amount of one million dollars, and the levy, assessment and collection of an annual tax against all taxable property within said county of a rate sufficient to pay the principal and interest thereof, and all proceedings had by the commissioners court of said county concerning said bonds; authorizing the commissioners court of said county to issue said bonds; repealing all special laws heretofore passed for Titus County, Texas, and declaring an emergency."

The bill was laid before the Senate, read third time, and on motion of Senator Floyd was passed by the following vote:

Yeas—29.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Sulter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Absent—Excused.

McNealus.

## House Bill No. 16.

The Chair laid before the Senate on third reading:

H. B. No. 16, A bill to be entitled "An Act to amend Section 12 of Chapter 10, of the Local and Special Laws passed at the Regular Session of the Thirty-fifth Legislature, the same being 'An Act to authorize and empower Lamar County or any political subdivision or defined district of said county by a vote of two-thirds majority of the resident property taxpayers qualified voters of such county or political subdivision or defined district thereof voting thereon to issue bonds to any amount not exceeding one-fourth of the assessed valuation of the real property of such political subdivision or defined district and to levy and collect taxes to pay the interest on such bonds and

to provide a sinking fund for the redemption thereof, and for the maintenance of said bonds during the life of such bonds for the purpose of constructing, maintaining and operating macadamized, gravel or paved roads and turnpikes, and providing ways and means of conducting and supervising said work, and to repeal Chapter 7 of the Special Acts of the Thirty-first Legislature and all other special road laws for Lamar County."

The bill was laid before the Senate, read third time, and on motion of Senator Gibson was passed finally.

#### House Bill No. 7.

The Chair laid before the Senate on third reading:

H. B. No. 7, A bill to be entitled "An Act to repeal House Bill No. 531, Chapter 45, Special Laws of the Thirty-fourth Legislature of the State of Texas, 1915, the same being an Act creating a special road law for Camp County, Texas."

The bill was laid before the Senate, read third time, and on motion of Senator Floyd was passed by the following vote:

#### Yeas—29.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Sulter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

#### Absent—Excused.

McNealus.

#### House Bill No. 31.

The Chair laid before the Senate on third reading:

H. B. No. 31, A bill to be entitled "An Act to amend Section 18, 20, 23, 27 and 30 of Chapter 70 of the Special Road Laws enacted at the Regular Session passed at the Thirty-

third Legislature, and known as a special road law for Smith County, Texas; providing for the appointment of special road commissioners for the county; providing for their qualification; prescribing their powers and duties; authorizing the right of eminent domain to any political subdivision or defined district; providing for the manner of holding elections, validating bonds heretofore issued or that may hereafter be issued, and declaring an emergency."

Senator Sulter offered the following amendments which were read and adopted by unanimous vote, to-wit:

(1) Amend House Bill No. 31 by striking out Section 18-1 and substituting the following for said Section 18-1:

Section 18-1. Before said Highway Commissioners shall let any contract for the building of any State Highway in said county, the contract therefor shall first be submitted to the county commissioners court of said Smith County for their authority and approval, said contract will be entered into and shall then become legal and binding.

(2) Amend Section 18-F, House Bill No. 31 by inserting after the word "clerk" and before the words "Upon accounts" the following: "Upon order of the County Commissioners Court."

The bill was laid before the Senate, read third time, and on motion of Senator Sulter was passed by the following vote:

#### Yeas—29.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Sulter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

#### Absent—Excused.

McNealus.

**House Bill No. 53.**

The Chair laid before the Senate on third reading:

H. B. No. 53, A bill to be entitled "An Act to amend Section 8, Chapter 139, of the General Laws of the State of Texas, passed by the Thirty-fifth Legislature at its Regular Session, denominated 'An Act to create the Eighty-eighth Judicial District; fixing its jurisdiction and time of holding courts therein; providing for the appointment by the Governor of a judge for the Forty-second District; providing that the district clerk and county attorney of Eastland County shall each be officers of said Eighty-eighth District Court, and fixing their compensation for services rendered therein; providing further, for the transfer of cases from and to the Forty-second Judicial District Court, and the Eighty-eighth Judicial District Court, from one court to the other, requiring notices of such transfer of cases in certain instances to be given, reorganizing the Forty-second Judicial District, and providing for the time of holding court in the counties of Taylor, Callahan, Shackelford and Stephens, and declaring an emergency' the amendment of said Section 8 providing that the Forty-second Judicial District shall hereafter be composed of the counties of Taylor, Callahan, Shackelford and Stephens, fixing the time of holding court in each of said counties, repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

The bill was laid before the Senate, read third time, and on motion of Senator Buchanan of Scurry was passed by the following vote:

Yeas—29.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

**Absent—Excused.**

McNealus.

**House Bill No. 64.**

The Chair laid before the Senate on third reading:

H. B. No. 64, A bill to be entitled "An Act to fix the time of holding the courts in the Sixty-fourth Judicial District of Texas, and to validate all process, bonds and recognizances heretofore taken in the courts of said district and all judgments therein rendered, or to be rendered, and repealing all laws in conflict therewith, and declaring an emergency."

The bill was laid before the Senate, read third time, and on motion of Senator Buchanan of Scurry, was passed by the following vote:

Yeas—29.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Strickland.
Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

**Absent—Excused.**

McNealus.

**House Bill No. 97.**

The Chair laid before the Senate on third reading:

H. B. No. 97, A bill to be entitled "An Act to amend an Act entitled 'An Act to establish and create a criminal district court for Bowie County; to provide for the jurisdiction of and procedure in said court; to fix the time for holding the terms of said court.'"

The bill was laid before the Senate, read third time, and on motion of Senator Dorough, was passed by the following vote:

## Yeas—29.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

## Absent—Excused.

McNealus.

## House Bill No. 68.

The Chair laid before the Senate on third reading:

H. B. No. 68, A bill to be entitled "An Act creating the Crosby Independent School District in the county of Harris, State of Texas, defining its boundaries, divesting the bodies politic now controlling the same of the title of all property now held and used for public school purposes within the territory within this Act described and investing the same in the Crosby Independent School District, providing for the election of a board of trustees to manage and control the public free school within said district and investing the said district and rights, powers, privileges and duties of a town or village incorporated for free school purposes only under the general laws, declaring an emergency."

The bill was laid before the Senate, read third time, and on motion of Senator Johnston, was passed by the following vote:

## Yeas—29.

Alderdice.	Faust.
Bailey.	Floyd.
Buchanan of Bell.	Gibson.
Buchanan of Scurry.	Hall.
Caldwell.	Hertzberg.
Carlock.	Hopkins.
Clark.	Johnston.
Cousins.	Page.
Dayton.	Parr.
Dean.	Rector.
Dorough.	Smith.
Dudley.	Strickland.

Suiter.  
Westbrook.  
Williford.

Witt.  
Woods.

## Absent—Excused.

McNealus.

## Senate Concurrent Resolution No. 19.

Whereas, We have reached a crisis in the world's history that demands the earnest attention of every citizen who has at heart the welfare of the people and the creation and perpetuation of Democratic Government, and

Whereas, Our people entered the great world war and endured untold hardships, many making the supreme sacrifice to "Make the world safe for Democracy," and

Whereas, There is now propaganda going on throughout the world which has for its purpose the defeat of the very principles for which our brave soldiers fought and died, and the enthronement of Socialism which is the forerunner of Bolshevism, the arch-enemy of all free government, and

Whereas, It is commonly reported that these Socialistic doctrines are being taught in our great Texas State University, which is maintained at public expense, and that men are employed by said institution who are Socialistic in their views; therefore, be it

Resolved by the Senate, the House concurring, That the Board of Regents be requested to meet at their earliest convenience to make such an investigation as will determine the truthfulness or falsity of said report, and if found to be true, that steps be taken to at once discontinue such practices, and the members of the faculty responsible for same be summarily dismissed, to the end that our great University may stand as the exponent of the great principles for which our soldiers fought and died, and which true Americans cherish above all else.

GIBSON.  
JOHNSTON.

The resolution was read and Senator Witt offered the following amendment:

(1) Amend the resolution, strike out the word "commonly" before the word "reported."

Senator Carlock moved to refer the

resolution with the amendment to the Committee on Educational Affairs.

Senator Caldwell moved to table the motion to refer and the motion to table was lost.

The motion to refer was lost by the following vote:

Yeas—10.

Alderdice.	Faust.
Buchanan of Bell.	Floyd.
Carlock.	Rector.
Dayton.	Smith.
Dudley.	Woods.

Nays—17.

Bailey.	Johnston.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Clark.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Gibson.	Williford.
Hertzberg.	Witt.
Hopkins.	

Absent.

Cousins. Hall.

Absent—Excused.

McNealus.

Action recurred upon the pending amendment and the same was adopted.

Senator Caldwell offered the following:

Amend the resolution as follows:

Strike out the words, "That the Board of Regents be requested to meet at their earliest convenience," and insert in lieu thereof, "That the Senator from Harris, the Senator from Bastrop and the Senator from Walker be appointed a committee to act with a like committee from the House, to be appointed by the Speaker."

Senator Gibson moved to table the amendment and this motion prevailed by the following vote:

Yeas—21.

Alderdice.	Dorough.
Bailey.	Faust.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Gibson.
Clark.	Hertzberg.
Cousins.	Hopkins.
Dayton.	Page.
Dean.	Rector.

23—Spec.

Smith.  
Suiter.  
Williford.

Witt.  
Woods.

Nays—6.

Caldwell.  
Carlock.  
Dudley.

Parr.  
Strickland.  
Westbrook.

Absent.

Hall.

Johnston.

Absent—Excused.

McNealus.

Senator Hertzberg offered the following amendment, which was read and adopted:

(2) Amend the resolution by striking out everything before the words "Whereas, It is reported."

The resolution as amended was then adopted.

Senator Page moved to reconsider the vote by which the resolution was adopted.

The motion prevailed.

Senator Page moved to reconsider the vote by which Amendment No. 2 was adopted.

The motion to reconsider prevailed.

Action recurred upon the pending amendment by Senator Hertzberg and the same was lost by the following vote:

Yeas—9.

Buchanan of Scurry.	Smith.
Dean.	Strickland.
Dudley.	Witt.
Faust.	Woods.
Hertzberg.	

Nays—16.

Alderdice.  
Bailey.  
Caldwell.  
Carlock.  
Clark.  
Cousins.  
Dayton.  
Dorough.

Floyd.  
Gibson.  
Hopkins.  
Page.  
Parr.  
Suiter.  
Westbrook.  
Williford.

Absent.

Buchanan of Bell. Hall.

Absent—Excused.

McNealus.

Pair recorded.

Senator Rector (present), who

would vote "aye"; Senator Johnston (absent), who would vote "nay."

Action recurred upon the resolution and the same was adopted.

### Recess.

At 12:25 o'clock p. m., the Senate, on motion of Senator Dean, recessed until 2 o'clock today.

### After Recess.

(Afternoon session.)

The Senate was called to order by Lieutenant Governor Johnson.

### Senate Bill No. 82.—Set as Special Order.

By unanimous consent and on motion of Senator Carlock, S. B. No. 82 was set as a special order for tomorrow at the conclusion of the morning call.

### Senate Bill No. 51.—Set as Special Order.

By unanimous consent and on motion of Senator Buchanan of Scurry, S. B. No. 51 was set as a special order to follow consideration of S. B. No. 82 tomorrow.

### House Bill No. 67.

The Chair laid before the Senate on third reading:

H. B. No. 67, A bill to be entitled "An Act to amend Sections 2 and 8, Senate Bill No. 312 of the Local and special Acts of the Regular Session of the Thirty-fourth Legislature, creating the La Porte Independent School District, defining the boundaries thereof, providing the method of levying, assessing and collecting the taxes therein, legalizing levies, assessments and equalizations theretofore made and declaring an emergency."

The bill was laid before the Senate, read third time, and, on motion of Senator Johnston, was passed by the following vote:

Yeas—28.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Hall.

Absent—Excused.

McNealus.

### House Bill No. 60.

The Chair laid before the Senate on third reading:

H. B. No. 60, A bill to be entitled "An Act adding to and making a part of the Raymondville Independent School District of Cameron County, Texas, certain lands and territory adjoining thereto situated in Cameron County, Texas," etc.

The bill was laid before the Senate, read third time, and, on motion of Senator Parr, was passed by the following vote:

Yeas—28.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Hall.

Absent—Excused.

McNealus.

**House Bill No. 51.**

The Chair laid before the Senate on third reading:

H. B. No. 51, A bill to be entitled "An Act to amend Section 1 of 'An Act creating Pflugerville Independent School District in Travis and Williamson County, Texas, consolidating into said independent school district the territory included in the present Pflugerville Independent School District, Common School District No. 56, Common School District No. 12, Williamson and Travis County Line School District No. 14, and Common School District No. 15; defining its boundaries.'"

The bill was laid before the Senate, read third time, and on motion of Senator Caldwell was passed by the following vote:

Yeas—28.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Hall.

Absent—Excused.

McNealus.

**House Bill No. 61.**

The Chair laid before the Senate on third reading:

H. B. No. 61, A bill to be entitled "An Act adding to and making a part of the Rio Hondo Independent School District of Cameron County, Texas, certain lands and territory adjoining thereto, situated in Cameron County, Texas, etc.; and declaring an emergency."

The bill was laid before the Senate, read third time, and on motion of Senator Parr was passed by the following vote:

Yeas—28.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Hall.

Absent—Excused.

McNealus.

**House Bill No. 57.**

The Chair laid before the Senate on third reading:

H. B. No. 57, A bill to be entitled "An Act creating and incorporating the DeSoto Independent School District in Dallas County, Texas, out of the territory now comprising Common School District No. 39 in said county, defining its boundaries, providing that the title to said school property vested in said Common School District No. 39 should be vested in said independent school district and that said Independent School District shall assume the duties of said Common School District No. 39; providing for a board of trustees for said DeSoto Independent School District No. 39; providing the time and manner of their election; defining their duties, and declaring an emergency."

The bill was laid before the Senate, read third time, and on motion of Senator Alderdice was passed by the following vote:

Yeas—28.

Alderdice.	Dudley.
Bailey.	Faust.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Gibson.
Caldwell.	Hertzberg.
Carlock.	Hopkins.
Clark.	Johnston.
Cousins.	Page.
Dayton.	Parr.
Dean.	Rector.
Dorough.	Smith.



Strickland.	Williford.
Suiter.	Witt.
Westbrook.	Woods.

Absent.

Hall.

**Absent—Excused.**

McNealus.

**House Bill No. 92.**

The Chair laid before the Senate on third reading:

H. B. No. 92, A bill to be entitled "An Act to amend Sections 2 and 4 of Chapter 146, Special Laws of the Thirty-third Legislature, 1913, reciting powers and privileges of the Kyle Independent School District and changing the number of school trustees from three to seven, and declaring an emergency."

Senator Faust offered the following which was read and adopted by unanimous vote:

Amend H. B. No. 92 by striking out Section Two (2) thereof and by renumbering Section Three (3) accordingly.

The bill was laid before the Senate, read third time, and on motion of Senator Faust was passed by the following vote:

Yeas—28.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Hall.

**Absent—Excused.**

McNealus.

**House Bill No. 106.**

The Chair laid before the Senate on third reading:

H. B. No. 106, A bill to be entitled "An Act amending Section 1, Chap-

ter 67, Special Laws of Texas, Acts of the Thirty-first Legislature, Regular Session, entitled 'An Act creating the Hamlin Independent School District in Jones County, Texas, defining its boundaries, etc.,' so as to include additional territory in Jones and Fisher Counties, Texas; re-establishing the metes and bounds of the Hamlin Independent School District and declaring an emergency."

The bill was laid before the Senate, read third time, and on motion of Senator Buchanan of Scurry, was passed by the following vote:

Yeas—28.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Hall.

**Absent—Excused.**

McNealus.

**House Bill No. 107.**

The Chair laid before the Senate on third reading:

H. B. No. 107, A bill to be entitled "An Act to create a more efficient road system for Kaufman County, Texas, and declaring an emergency."

The bill was laid before the Senate, read third time, and on motion of Senator Woods was passed by the following vote:

Yeas—28.

Alderdice.	Dorough.
Bailey.	Dudley.
Buchanan of Bell.	Faust.
Buchanan of Scurry.	Floyd.
Caldwell.	Gibson.
Carlock.	Hertzberg.
Clark.	Hopkins.
Cousins.	Johnston.
Dayton.	Page.
Dean.	Parr.

Rector.	Westbrook.
Smith.	Williford.
Strickland.	Witt.
Suiter.	Woods.

Absent.

Hall.

Absent—Excused.

McNealus.

Excused.

Senator Johnston was excused on Thursday noon until Monday on account of important business, on motion of Senator Bailey.

### House Bill No. 8.

The Chair laid before the Senate on second reading:

H. B. No. 8, A bill to be entitled "An Act appropriating the sum of seventy-five thousand dollars, or so much thereof as may be necessary, out of the public treasury of the State, not otherwise appropriated, to pay off and satisfy all lawful claims for witnesses in felony cases who were residing in the county of prosecution when such fees accrued, which said fees were then authorized and fixed by law, and declaring an emergency."

On motion of Senator Dean the bill was laid on the table subject to call.

### Senate Bill No. 66.

Senator Bailey called up and the Chair laid before the Senate on second reading:

S. B. No. 66, A bill to be entitled "An Act to amend Article 3871, Revised Civil Statutes of the State of Texas, 1911, as the same was amended by Chapter 158, Acts of the Regular Session of the Thirty-sixth Legislature, relating to the compensation to be paid the assessor of taxes for assessing taxes for State, county, drainage districts, road districts or other political subdivisions of the County, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Bailey, the constitutional rule requiring bills to be read on three several days was

suspended and S. B. No. 66 put on its third reading and final passage by the following vote:

Yeas—20.

Alderdice.	Dudley.
Bailey.	Faust.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Carlock.	Parr.
Cousins.	Rector.
Dayton.	Strickland.
Dean.	Williford.
Dorough.	Witt.

Absent.

Clark.	Smith.
Gibson.	Suiter.
Hall.	Westbrook.
Page.	Woods.

Absent—Excused.

Johnston. McNealus.

The bill was laid before the Senate, read third time and on motion of Senator Bailey was passed by the following vote:

Yeas—21.

Alderdice.	Faust.
Bailey.	Floyd.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Parr.
Carlock.	Rector.
Cousins.	Strickland.
Dayton.	Westbrook.
Dean.	Williford.
Dorough.	Witt.
Dudley.	

Absent.

Clark.	Smith.
Gibson.	Suiter.
Hall.	Woods.
Page.	

Absent—Excused.

Johnston. McNealus.

### Senate Bill No. 26.

The chair laid before the Senate on second reading:

S. B. No. 26, A bill to be entitled "An Act to provide for the appointment by the State Health Officer, of one or more State Sanitary Engineers, directing the sanitary inspec-

tions of all incorporated cities and towns in Texas of twenty thousand population or less, at least once each year; providing for the reports of such inspections by said engineers; fixing the fees and charges to be paid by such cities and towns for such inspections; creating a special fund out of such fees and charges to pay the salary and expenses of such engineers; fixing the salaries of such engineers; appropriating the receipts for their services to the payment thereof and declaring an emergency."

On motion of Senator Dayton the bill was laid on the table subject to call.

#### Senate Bill No. 30.

The Chair laid before the Senate on second reading:

S. B. No. 30, A bill to be entitled "An Act to amend Rule 3, relating to 'Contagious Diseases,' of Section 10 of Chapter 30 of the General Laws of the State of Texas, passed by the Thirty-first Legislature at its regular session."

On motion of Senator Dayton the bill was laid on the table subject to call.

#### Senate Bill No. 24.

The Chair laid before the Senate on second reading:

S. B. No. 24; A bill to be entitled "An Act to amend Article 4521 of the 1911 Revised Civil Statutes of Texas, relating to the creation of the State Board of Health, to provide for the appointment and organization of said board and the name of its officers, to provide for the designation by the Governor of one member of said board as State Health Officer—the member designated as State Health Officer to hold office for a term of two years; the other members to hold office for a term of six years. The present members of the board shall not be affected by the provisions of this Act."

On motion of Senator Dayton the bill was laid on the table subject to call.

#### Senate Bill No. 25.

The Chair laid before the Senate on second reading:

S. B. No. 25, A bill to be entitled "An Act providing that no person suffering from open tuberculosis shall be permitted to attend any public or private school of this State, neither shall such person be employed in any public or private school of this State in any capacity; provided, that the provisions of this Act do not apply to public or private schools for persons having tuberculosis; etc."

On motion of Senator Dayton the bill was laid on the table subject to call.

#### Senate Bill No. 27.

The Chair laid before the Senate on second reading:

S. B. No. 27, A bill to be entitled "An Act providing for the examination of persons whom the State Health Officer has good reason to believe are afflicted with the disease of leprosy and for the quarantine and segregation of lepers and providing that if any part of this Act is held to be unconstitutional, no other part of this Act shall be affected thereby, and declaring an emergency."

On motion of Senator Dayton the bill was laid on the table subject to call.

#### Senate Bill No. 22.

The Chair laid before the Senate on second reading:

S. B. No. 22, A bill to be entitled "An Act giving the State Health Officer the authority to enforce the health, quarantine and sanitary laws of this State when the local officers fail or refuse to do so; providing for the removal of county and city officers who fail or refuse to enforce the health, quarantine and sanitary laws of this State, or who are incompetent to enforce such laws; providing that places of business which are operated in such manner as to be a menace to the health of the community or to persons working therein or transacting business therewith may be enjoined from conducting such business by a proceeding in the name of 'The State of Texas,' such injunction to be prosecuted by the

Attorney General; fixing the venue of such suits in Travis County; and declaring an emergency."

On motion of Senator Dayton, the bill was laid on the table subject to call.

#### Senate Bill No. 22.

The Chair laid before the Senate on second reading:

S. B. No. 22, A bill to be entitled "An Act making it the duty of the superintendents of every State institution where men, women, or children are kept, either wholly or in part at the expense of the State, shall report annually to the State Health Officer such information relative to the physical condition of the inmates of such institution as may be required by the State Health Officer, on such forms as may be prescribed by the State Health Officer, making it the duty of the State Health Officer to visit such State institutions when in his judgment an epidemic of any infectious or contagious disease threatens inmates of such institutions, and to make a thorough investigation of such institutions, giving him the power to call to his assistance his executive staff or the local staff of physicians as may be deemed necessary to control and eradicate such epidemic or disease. Providing a penalty and declaring an emergency."

On motion of Senator Caldwell, the bill was laid on the table subject to call.

#### Simple Resolution No. 25.

Whereas, the Hon. R. B. Levy, Associate Justice of the Court of Civil Appeals for the Sixth Judicial District, and a former distinguished member of the Legislature, is in the city; therefore, be it

Resolved, That he be invited to address the Senate and be extended the courtesies of the floor.

DOROUGH.  
SMITH.  
SUTTER.  
FLOYD.

The resolution was read and adopted, and Judge Levy was presented to the Senate and made a brief address.

#### Senate Bill No. 108.

Senator Strickland asked for unanimous consent to take up Senate Bill No. 108.

There was objection.

On motion of Senator Strickland the regular order of business was suspended, and the Senate took up, out of its order, Senate Bill No. 108 by the following vote:

Yeas—20.

Alderdice.	Dudley.
Bailey.	Faust.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Hopkins.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Strickland.
Dayton.	Westbrook.
Dean.	Williford.
Dorough.	Witt.

Nays—1.

Caldwell.

Absent.

Gibson.	Smith.
Hertzberg.	Sutter.
Hall.	Woods.
Page.	

Absent—Excused.

Johnston.

McNealus.

The Chair laid before the Senate on second reading:

S. B. No. 108, A bill to be entitled "An Act to change the name of the insane asylum at Rusk, Texas, known as the Hospital for Negro Insane, to the East Texas Hospital for the Insane; providing for the immediate admission of both white and negro insane, and declaring an emergency."

The committee report that the bill be printed in the Journal was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Strickland, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 108 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Carlock.
Bailey.	Clark.
Buchanan of Bell.	Cousins.
Buchanan of Scurry.	Dayton.

Dean.	Rector.
Dorough.	Smith.
Dudley.	Strickland.
Faust.	Suiter.
Floyd.	Westbrook.
Hertzberg.	Williford.
Hopkins.	Witt.
Page.	Woods.
Parr.	

Present—Not Voting.

Caldwell.                      Absent.

Gibson.                      Hall.

**Absent—Excused.**

Johnston.                      McNealus.

The bill was laid before the Senate, read third time, and on motion of Senator Strickland, was passed by the following vote:

Yeas—23.

Alderdice.	Hopkins.
Bailey.	Page.
Buchanan of Bell.	Parr.
Buchanan of Scurry.	Rector.
Carlock.	Smith.
Clark.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hertzberg.	

Nays—1.

Caldwell.                      Absent.

Cousins                      Gibson.  
Dorough.                      Hall.

**Absent—Excused.**

Johnston.                      McNealus.

#### Senate Bill No. 119.

The Chair laid before the Senate on second reading:

S. B. No. 119, A bill to be entitled "An Act to amend Article 3083 of the Revised Civil Statutes of the State of Texas as amended by Chapter 13, General Laws of the Thirty-sixth Legislature at its Regular Session so as to prohibit the issuance of certificates of party nominations of ineligible candidates and prohibiting the placing of the names of any ineligible candidate upon the ballot

for any general or special election and declaring an emergency."

The Senate rule requiring committee reports to lie over for one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Dean, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 119 put on its third reading and final passage by the following vote:

Yeas—26.

Alderdice.	Floyd.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Carlock.	Rector.
Clark.	Smith.
Cousins.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.

**Absent.**

Gibson.                      Hall.

**Absent—Excused.**

Johnston.                      McNealus.

The bill was laid before the Senate, read third time, and on motion of Senator Dean was passed by the following vote:

Yeas—25.

Alderdice.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Carlock.	Rector.
Clark.	Smith.
Cousins.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

**Absent.**

Bailey.                      Hall.  
Gibson.

**Absent—Excused.**

Johnston.                      McNealus.

**Senate Bill No. 120.**

The Chair laid before the Senate on second reading:

S. B. No. 120, A bill to be entitled "An Act creating the Academy Consolidated School District out of the following Common School Districts in Bell County, Texas, and declaring an emergency."

The Senate rule requiring committee reports to lie over for one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Buchanan of Bell, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 120 put on its third reading and final passage by the following vote:

Yeas—26.

Alderdice.	Floyd.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Carlock.	Rector.
Clark.	Smith.
Cousins.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.

Absent.

Gibson. Hall.

Absent—Excused.

Johnston. McNealus.

The bill was laid before the Senate, read third time, and on motion of Senator Buchanan of Bell, was passed by the following vote:

Yeas—26.

Alderdice.	Dudley.
Bailey.	Faust.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.

Westbrook.  
Williford.

Witt.  
Woods.

Absent.

Gibson.

Hall.

Absent—Excused.

Johnston.

McNealus.

**Senate Bill No. 10.**

The Chair laid before the Senate on second reading:

S. B. No. 10, A bill to be entitled "An Act validating all sales of public free school land made on October 22, 1903, in quantities not exceeding forty acres, and same have been fully paid for, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Hopkins, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 10 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Page.
Buchanan of Scurry.	Parr.
Caldwell.	Rector.
Carlock.	Smith.
Clark.	Strickland.
Cousins.	Suiter.
Dayton.	Westbrook.
Dean.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Dorough. Hall.  
Gibson.

Absent—Excused.

Johnston. McNealus.

The bill was laid before the Senate, read third time and, on motion of Senator Hopkins was passed finally.

**Senate Bill No. 105.**

The Chair laid before the Senate on second reading:

S. B. No. 105, A bill to be entitled

"An Act to amend Articles 637a, 637b, and 637c of Chapter 203, Acts of the Regular Session of the Thirty-fifth Legislature, which articles were by said chapter added to Chapter 2, Title 18, Revised Civil Statutes, 1911, relating to the issuance of county bonds by any county for the purpose of purchasing or taking over improved roads already constructed by any road district or districts therein and further constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes throughout said county, etc., and declaring an emergency."

The committee report that the bill be printed in the Journal only was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Suiter, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 105 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Floyd.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Smith.
Cousins.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.

Absent.

Bailey.	Hall.
Gibson.	Rector.

Absent—Excused.

Johnston.	McNealus.
-----------	-----------

The bill was laid before the Senate read third time and, on motion of Senator Suiter was passed by the following vote:

Yeas—25.

Alderdice.	Dean.
Buchanan of Bell.	Dorough.
Buchanan of Scurry.	Dudley.
Caldwell.	Faust.
Carlock.	Floyd.
Clark.	Hertzberg.
Cousins.	Hopkins.
Dayton.	Page.

Parr.	Westbrook.
Rector.	Williford.
Smith.	Witt.
Strickland.	Woods.
Suiter.	

Absent.

Bailey.	Hall.
Gibson.	

Absent—Excused.

Johnston.	McNealus.
-----------	-----------

### House Bill No. 5.

The Chair laid before the Senate on second reading:

H. B. No. 5, A bill to be entitled "An Act to establish and fix the salaries of the following named officers: Superintendents and employes of the State Government of the State of Texas, to-wit: The Superintendents of the Blind Institute, the Deaf and Dumb Institute, the Epileptic Colony, State Lunatic Asylum, the Southwestern Insane Asylum, the Northwest Texas Insane Asylum, the Hospital for Negro Insane, State Institution for Training of Juveniles, Colony for the Feeble-Minded, the Confederate Home, the Confederate Woman's Home, the Girls' Training School, the Deaf, Dumb and Blind Institute for Colored Youths, and the Head Physician of the State Pasteur Institute, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The committee report carrying an amendment and that the bill be not printed was adopted.

The bill was read second time and passed to its third reading by the following vote:

Yeas—18.

Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dudley.	Westbrook.
Faust.	Williford.
Hertzberg.	Witt.
Hopkins.	Woods.

Nays—4.

Buchanan of Scurry.	Floyd.
Dorough.	Suiter.

Present—Not Voting.

Buchanan of Bell.

## Absent.

Alderdice. Gibson.  
Bailey. Hall.  
Cousins.

## Absent—Excused.

Johnston. McNealus.

On motion of Senator Page, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 5 put on its third reading and final passage by the following vote:

## Yeas—21.

Buchanan of Bell.	Hopkins.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Hertzberg.	

## Nays—3.

Buchanan of Scurry. Suiter.  
Floyd.

## Absent.

Alderdice. Gibson.  
Bailey. Hall.

## Absent—Excused.

Johnston. McNealus.

The bill was laid before the Senate, read third time, and on motion of Senator Page was passed by the following vote:

## Yeas—19.

Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Hertzberg.	Woods.
Hopkins.	

## Nays—4.

Buchanan of Scurry. Floyd.  
Dorough. Suiter.

## Present—Not Voting.

Buchanan of Bell.

## Absent.

Alderdice. Gibson.  
Bailey. Hall.

## Absent—Excused.

Johnston. McNealus.

## Senate Bill No. 45.

The Chair laid before the Senate on second reading:

S. B. No. 45, A bill to be entitled "An Act to appropriate certain sums of money out of the general funds of this State not otherwise appropriated for the fiscal years beginning September 1, 1919, and September 1, 1920, to be used for the purpose of inspection and eradication of citrus canker and of other dangerous diseases and pests now threatening the destructions of the citrus industry in this State and in order to secure a like appropriation from the Federal Government for the same purpose and declaring an emergency."

Senator Clark moved the adoption of the committee report carrying an amendment.

Senator Dayton offered the following:

Amend committee amendment to Senate Bill No. 45 by striking out said amendment.

Senator Clark moved to table the amendment, and this motion was lost.

The amendment was then adopted by the following vote:

## Yeas—15.

Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Carlock.	Rector.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Witt.
Dudley.	Woods.
Floyd.	

## Nays—9.

Alderdice.	Faust.
Bailey.	Parr.
Buchanan of Bell.	Smith.
Clark.	Williford.
Cousins.	

## Absent.

Gibson.	Page.
Hall.	Strickland.



**Absent—Excused**

Johnston.

McNealus.

On motion of Senator Dean, the bill was laid on the table subject to call.

**Senate Bill No. 44.**

The Chair laid before the Senate on second reading:

S. B. No. 44, A bill to be entitled "An Act to regulate bakeries and baker shops, to make same sanitary, etc., and fixing a penalty for violations of any provision thereof, and declaring an emergency."

On motion of Senator Clark, the bill was postponed indefinitely.

**Senate Bill No. 67.**

The Chair laid before the Senate on second reading:

S. B. No. 67, A bill to be entitled "An Act providing for a service medal for the soldiers, sailors, marines and others who were part of the armed forces of the United State or of Texas during the years 1917 or 1918; making an appropriation therefor; providing for a Commission to select a design and to have custodian of such medals and a roll of honor to carry the names."

On motion of Senator Hertzberg, the committee report carrying an amendment was adopted.

Senator Carlock moved to postpone further consideration of the bill until next Tuesday at the conclusion of the morning call.

Senator Hertzberg moved to table the motion to postpone and this motion was lost by the following vote:

Yeas—5.

Caldwell.

Westbrook.

Dudley.

Williford.

Hertzberg.

Nays—18.

Alderdice.

Dorough.

Bailey.

Faust.

Buchanan of Bell. Floyd.

Buchanan of Scurry. Parr.

Carlock. Rector.

Clark. Smith.

Cousins. Suiter.

Dayton. Witt.

Dean. Woods.

**Absent.**

Gibson.

Page.

Hall.

Strickland.

Hopkins.

**Absent—Excused.**

Johnston.

McNealus.

The motion to postpone prevailed.

**Senate Bill No. 50.**

The Chair laid before the Senate on second reading:

S. B. No. 50, A bill to be entitled "An Act making appropriation of \$185,000.00 to re-imburse the Board of Regents of the University of Texas for expenditures made at Camp Mabry, Texas, and remaining on hand unpaid at the close of the war, out of the University available fund in pursuance of Senate Concurrent Resolution No. 12 passed at the Fourth Called Session of the Thirty-fifth Legislature and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Caldwell, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 50 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.

Floyd.

Bailey.

Hertzberg.

Buchanan of Bell. Hopkins.

Buchanan of Scurry. Parr.

Caldwell.

Rector.

Carlock.

Smith.

Clark.

Strickland.

Cousins.

Suiter.

Dayton.

Westbrook.

Dean.

Williford.

Dorough.

Witt.

Dudley.

Woods.

Faust.

**Absent.**

Gibson.

Page.

Hall.

**Absent—Excused.**

Johnston.

McNealus.

The bill was laid before the Senate, read third time, and, on motion of Senator Caldwell, was passed by the following vote:

## Yeas—25.

Alderdice.	Floyd.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Parr.
Caldwell.	Rector.
Carlock.	Smith.
Clark.	Strickland.
Cousins.	Suiter.
Dayton.	Westbrook.
Dean.	Williford.
Derough.	Witt.
Dudley.	Woods.
Faust.	

## Absent.

Gibson.	Page.
Hall.	

## Absent—Excused.

Johnston.	McNealus.
-----------	-----------

## Senate Bill No. 74.

The Chair laid before the Senate on second reading:

S. B. No. 74, A bill to be entitled "An Act to amend Article 3903, Chapter 4, Title 58, of the Revised Civil Statutes of 1911, of the State of Texas and as amended by Chapter 142 of the Regular Session of the Thirty-third Legislature, and as amended by Chapter 55 of the Regular Session of the Thirty-fifth Legislature relating to the appointment of certain officers named in Articles 3881 to 3886 of the Revised Civil Statutes, of deputies or assistants in the performance of the duties of such officers, where such assistants or deputies are necessary for the efficiency of the public service; providing for an application to be made by such officers to the county judge of the county for authority to appoint same; prescribing the issuance by the county judge of an order authorizing the appointment of such deputies or assistants; providing that the officer desiring such deputies or assistants shall make affidavit that such assistants or deputies are necessary for the efficiency of the public service; providing for the salary of the chief deputy and the other deputies or assistants; providing that the order of the county judge granting such authority shall state the number of deputies or assistants; providing that the officer requesting such deputies or assistants shall fix

their compensation; providing the maximum amount allowed for deputies in counties having a population of deputies or assistants; providing the maximum amount allowed deputies in counties having a population in excess of 100,000 as shown by the last scholastic census and providing that in counties in excess of 100,000 inhabitants district attorneys of any district or county attorney is authorized, with the consent of the county judge of said county, to appoint two assistants in addition to his regular force, which two assistants shall not be required to possess same qualifications required by law for district and county attorneys; providing amount paid said deputies, also providing for Seventy-five (\$75.00) dollars per month for necessary expenses, etc., and declaring an emergency."

The committee report carrying a substitute bill was adopted.

Senator Dudley offered the following amendments, which were read and adopted, severally:

(1) Amend Committee Substitute for Senate Bill No. 74, page 9, by striking out, commencing with "and providing further" in line 15, to and including "allowing same shall be final," line 29.

(2) Amend Committee Substitute for Senate Bill No. 74 by adding a new paragraph after line 29, page 10, as follows:

Provided, that the provisions of this Act shall not apply to or include county attorneys, district attorneys or criminal district attorneys, or their assistants, investigators or stenographers, in counties having a population in excess of 100,000 inhabitants according to the last census of the United States, and according to any United States census which may hereafter be taken, except that in counties having a population in excess of 100,000 inhabitants there shall be paid to the county attorney, district attorney of criminal district attorney the sum of \$50.00 per month by warrant drawn on the county treasurer out of the general funds of such county, for contingent expenses in the administration of his office, a detailed itemized statement of which expenses shall be filed monthly by such officer with the county judge of such county.

Provided further, that this Act is not intended and shall not be con-

strued or considered as amending, repealing or in any wise affecting Chapter 47, page 83, Acts of the Thirty-sixth Legislature, Regular Session, but shall be cumulative thereof.

(3) Amend Committee Substitute for Senate Bill No. 74, by striking out of the caption on line 25, page 6, after the words "and assistants," all of lines 25, 26, 27 and 28, down to and inclusive of the word "payment."

(4) Amend Committee Substitute for Senate Bill No. 74, by striking out of the caption at line 17, page 6, after the words "Regular Session" the words "Chapter 121" and by striking out of line 18, page 6, the word "and," appearing at the beginning at said line.

Senator Carlock offered the following, which was read and adopted.

(5) Amend Senate Bill No. 74, line 10, by striking out line 9 to 16, inclusive.

Senator Williford offered the following, which was read and adopted:

(6) Amend Committee Substitute for Senate Bill 74, page 7, line 22, by striking out all of said line after the semicolon therein, and by striking out lines 23, 24 and 25.

On motion of Senator Bailey, the bill was postponed indefinitely by the following vote:

#### Yeas—20.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Parr.
Carlock.	Smith.
Clark.	Strickland.
Cousins.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Faust.	Woods.

#### Nays—6.

Caldwell.	Hertzberg.
Dayton.	Rector.
Dudley.	Witt.

#### Absent.

Hall.	Page.
-------	-------

#### Absent—Excused.

Johnston.	McNealus.
-----------	-----------

#### Senate Bill No. 71.

The Chair laid before the Senate on second reading:

S. B. No. 71, A bill to be entitled "An Act providing that Water Improvements Districts organized and operating under the laws of the State of Texas may issue notes in a sum not to exceed \$30,000 for the purpose of making repairs on its system, providing an election upon the issue that a two-thirds majority vote shall be required; providing the interest rate, maximum maturity and other provisions and restrictions applying to the issuance of such notes and how such notes may be issued and executed; providing for the levying and collecting a tax to pay the interest and principal of such obligations, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Dudley, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 71 put on its third reading and final passage by the following vote:

#### Yeas—26.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Parr.
Carlock.	Rector.
Clark.	Smith.
Cousins.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.

#### Absent.

Page.	Hall.
-------	-------

#### Absent—Excused.

Johnston.	McNealus.
-----------	-----------

The bill was laid before the Senate, read third time, and on motion of Senator Dudley was passed by the following vote:

#### Yeas—24.

Bailey.	Carlock.
Buchanan of Bell.	Clark.
Buchanan of Scurry.	Cousins.
Caldwell.	Dayton.

Dean.	Rector.
Dorough.	Smith.
Dudley.	Strickland.
Faust.	Suiter.
Gibson.	Westbrook.
Hertzberg.	Williford.
Hopkins.	Witt.
Parr.	Woods.

Present—Not Voting.

Alderdice.

Absent.

Floyd.

Page.

Hall.

Absent—Excused.

Johnston.

McNealus.

### Senate Bill No. 18.

The Chair laid before the Senate on second reading:

S. B. No. 18, A bill to be entitled "An Act to amend Sections 1, 7, 8, 9, 10, 13, 15, 17, 19, 23, 33, 54, 57, 58, 61, 66, 70, 71, 80 and 108 of Chapter 87 of the Acts of the Thirty-fifth Legislature, providing for the organization and operation of water improvement districts, and adding to said Act certain new sections numbered 118a, 119, 120, 121 and 122. Giving commissioners courts authority to create water improvement districts, and providing the method of the creation and operation of such districts under the authority granted by Section 52 of Article 3 of the Constitution of Texas or under Section 59 of Article 16 of the Constitution, etc., and declaring an emergency."

On motion of Senator Dudley the committee amendments were stricken out.

Senator Dudley offered the following amendment which was read and adopted:

Amend Senate Bill No. 18, by striking out all after the enacting clause and add in lieu thereof the following:

Section 1. That Sections 1, 7, 8, 9, 10, 13, 17, 19, 23, 33, 53, 56, 57, 60, 65, 69, 70, 80, and 108 of Chapter 87 Acts of the Thirty-fifth Legislature, Regular Session, and Section 15, thereof, as amended by Chapter 53 Acts Thirty-fifth Legislature Fourth Called Session, providing for the organization and oper-

ation of water improvement districts be and the same are hereby so amended that hereafter they shall read as follows:

"Section 1. The county commissioners court of any county in this State, at any regular or called session thereof, may establish one of more water improvement districts in their respective counties, or parts of such districts therein, in the manner hereinafter provided. Such districts may or may not include within their boundaries villages, towns, cities and municipal corporations, or any part thereof, but no land shall be at the same time included within the boundaries of more than one water improvement district created under this Act. Such districts when so established may make improvements or may purchase improvements already existing, or may purchase improvements and make additions thereto, and may issue bonds in payment therefor, as herein provided. Such districts being authorized to provide for the irrigation of the land included therein, and when operating under Section 59 of Article 16 of the Constitution furnish water for domestic, power and commercial purposes. Such districts may be formed for co-operation with the United States under the Federal Reclamation laws for the purpose of the construction of irrigation works, including drainage works, necessary to maintain the irrigability of the land or for the purchase, extension, operation or maintenance of constructed works or for the assumption, as principal or guarantor, of indebtedness to the United States on account of district lands.

The petition herein provided for to be presented to the county commissioners court shall be signed by a majority in number of the holders of title to the lands situated within the proposed district and representing a majority in value of the lands therein as indicated by the county tax rolls; provided, however, that such petition shall be sufficient if same is signed by fifty holders of title or evidence of title to the land situated within the proposed district, in the event that the number of such land owners should be greater than fifty in number. Upon the presentation to the commissioners court, either at a regular or special ses-

sion, or a petition as herein provided, praying for the establishment of a water improvement district, setting forth the boundaries thereof and designating a name for the district, the commissioners court shall set the same for hearing at some regular or special session to be held not less than fifteen days nor more than forty days from the presentation of said petition. The clerk of said court shall issue a notice of the said hearing, giving the date and place of hearing, and a copy of the order of the court setting same for hearing. Said notice shall be directed to the sheriff of the county requiring him to serve the notice in the manner provided by law. Said notice shall be sufficient if it contains the matter herein provided, and all persons interested shall take notice of the boundaries of said district as set out in the petition and may inspect same by examining the same in the office of the clerk of said court.

The sheriff shall execute said notice by posting true copies thereof in three public places within said proposed district and one at the courthouse door of the county, or on the bulletin board used for public notice at the county courthouse. Said notices shall be posted for ten full days prior to the date of said hearing. Said notice shall also be published in a newspaper of general circulation in the county, if a newspaper is published therein, one time and at least five days prior to such hearing. The sheriff shall make due return of a true copy of said notice, showing the time when and the places where such notice were published. The said return to be delivered to the clerk of the commissioners court, and to be recorded in the minutes of said court.

The duties herein imposed upon the clerk and sheriff may be performed by them acting by themselves or their deputies as provided by law for other similar duties. When conditions make it desirable the petition herein provided for may be signed and presented to the court in several copies. When such petition is so presented in more than one copy the clerk shall file all such copies and shall make a true copy thereof, including a list of all those who have signed the several copies,

and certified thereto and file same. Such certified copy shall be considered the petition in all other proceedings provided for by this Act.

Water improvement districts to be organized as provided herein are defined districts under the authority granted by Section 52 of Article 3 of the Constitution of the State.

Section 7. The manner of conducting elections herein provided for shall be governed by the general election laws of the State, except as herein otherwise provided. At such elections none but resident property tax payers who are qualified voters under the laws of the State shall be entitled to vote. The county commissioners court shall at the time of ordering said first election by an order entered of record create said proposed district, or the part thereof within said county, into one or more election precincts and shall name a polling place in each voting precinct, and shall appoint two judges and two clerks for each polling place, one of the judges to be designated as presiding judge. If said officers so selected fail to serve his place shall be filled in the manner provided by the general election laws. The court shall order printed one and one half times as many ballots for said election as there are estimated to be qualified voters within such district. Said ballots for said first election shall have printed thereon substantially the following: "For Water Improvement District" and "Against Water Improvement District," and said ballot shall contain five blank lines on which to write names of the persons voted for for the office of director, with a heading "For directors, five to be elected." No other matter shall be placed on said ballot except the heading "Official Ballot."

The election precincts herein provided to be created shall be and continue the election precincts of said district until changed by an order of the board of directors.

Sec. 8. It shall be the duty of the tax collector of the county before a water improvement district is formed, and of the tax collector of the district after its organization, to make a certified list of the property tax payers of said district, or part thereof in the county, and to furnish same to the officers of the election at

each polling place, and before any person is entitled to vote at any election under this Act his name must appear in said certified list of property tax payers; provided, however, that a qualified voter who is a property tax payer in said district or proposed district, and whose name does not appear upon said list, shall be entitled to vote if he shall first take the following oath, to be administered by an election judge and which the judges of the election are authorized to administer: "I do solemnly swear (or affirm) that I am a qualified voter under the laws of the State of Texas, and that I am a resident property tax payer of— (inserting the name of the district) and I did not acquire such property prior to this election for the purpose of voting, but I am a bona fide property taxpayer."

Sec. 9. The officers of the election shall make returns for each polling place in the same manner as provided by law for general elections, and the county commissioners court shall canvass said returns in the manner provided by law. If a majority of said votes be cast in favor of the organization of said district, then the court shall declare the result of said election in favor of the establishment of said district and shall enter same in the minutes of said court. The court shall also canvass the votes for directors and declare the election of the five persons receiving the highest number of votes for said office; provided, that should it be found that two or more persons had received the same number of votes so as to make a tie for the office as between them, then the said court shall select one of said persons to fill such position. In the event said district is composed of territory lying in two or more counties the said returns shall be canvassed and the result declared as hereinafter provided.

Sec. 10. If the result of said election be in favor of the establishment of the district, the county commissioners court shall make and enter in the minutes of said court an order setting forth facts substantially as follows: "In the matter of the petition of ..... and others, praying for the establishment of a water improvement district, as in said petition described, and named: ..... be it

known that an election was called for that purpose in said district, and held on the ... day of ..... A. D. 191...., and a majority of the resident property tax payers voting thereat voted in favor of the creation of said district. Now, therefore, it is declared that said district has been legally established under the name of ..... with the following metes and bounds: (here copy description of boundaries.)"

When a district is created including territory in two or more counties the officer charged with the duty of declaring the result of said election shall use substantially the same form.

All districts lying wholly in one county shall include in its name the name of the county in which it is located as a part of its name, and shall be numbered consecutively as created and established. A district lying partly in two or more counties may include the names of said counties in its name or may adopt any appropriate name.

The numbers of districts created hereafter shall not conflict with the numbers of irrigation or water improvement districts heretofore created, but shall be consecutively continued, and when a district lying in two or more counties has adopted a number as part of its name such number shall not be the same as that of any other district in either of said counties, and the numbers of districts created in either of said counties shall not conflict therewith.

Sec. 13. The directors of such district shall organize by electing one of their number as president and one as secretary. The directors may elect a president pro tem, and a secretary pro tem, to act in the absence or inability of the president or secretary. Any three directors shall constitute a quorum at any meeting, and a concurrence of three shall be sufficient in all matters pertaining to the business of the district except the letting of construction contracts and the drawing of warrants on the depository, which shall require the concurrent of four of such directors; provided, however, warrants to pay the current expenses, salaries, and labor and material, accounts, may be drawn by an officer or employe, designated by standing order of the directors, when such ac-

counts have been contracted and ordered paid by the directors.

Sec. 15. The office of tax assessor and collector is one office to be filled by one person. The tax assessor and collector shall be appointed by the directors, or if the directors so order, may be elected at an election held for that purpose. He shall qualify by making and entering into a good and sufficient bond, signed also by at least two good and sufficient sureties, to be approved by the board of directors, in the sum of five thousand dollars, conditioned for the faithful performance of his duties as tax assessor and collector and for the paying over to the depository all funds or sums of money or other thing of value, coming into his hands as such collector. The directors may require additional bonds or a bond in a larger amount or additional security at any time that same may be advisable in their judgment. The assessor and collector shall be a resident of the district, or of any town within the general boundaries of the district, and shall be a qualified voter in the county of his resident. The compensation to be paid to the tax assessor and collector, or deputy tax assessor and collector shall be fixed by the board of directors, but shall not exceed \$3,000.00 per year. One or more deputies may be appointed by the board of directors to assist the tax assessor and collector for such time not to exceed one year as may be ordered by the board. Such deputies shall perform such duties as the board may order and may be discharged at any time by the board. The amount bond to be given by such deputies shall be determined at the time of their appointment or as occasion may require. The board of directors may require the tax assessor and collector to perform other duties than those herein fixed and may fix his additional compensation if any therefor. In case any district organized hereunder is appointed fiscal agent of the United States, or by the United States is authorized to make collections of money for and on behalf of the United States in connection with any Federal reclamation project, such assessor and collector and each director, shall execute a further additional bond in such sum as the Secretary of the Interior may require,

conditioned for the faithful discharge of the duties of his respective office and the faithful discharge by the district of its duties as fiscal or other agent of the United States under such appointment or authorization; such additional bonds to be approved, recorded and file as herein provided for other official bonds, and any such additional bonds may be sued on by the United States or by any person injured by the failure of such officer or the district, to fully, promptly and completely perform their respective duties.

Sec. 17. The owner or owners of the fee of any land constituting a portion of any district may file with the board of directors of such district a petition praying that certain lands owned by them be excluded from and taken out of said district. The petition shall describe the lands which the petitioners desire to have excluded by metes and bounds and such petition must be acknowledged in the same manner and form as is required by law for the conveyance of real estate. Such petition may be filed at any time prior to the issuance of bonds by such district.

Sec. 19. The board of directors, at any time and place designated in such notice, or at such time and place as such hearing may from time to time be adjourned to, shall proceed to hear the petition and all objections thereto, and shall determine whether or not said lands, or any portion thereof, shall remain as a portion of said district or be excluded therefrom; and if upon such hearing the directors shall determine that the land desired to be withdrawn or any portion thereof is not susceptible to irrigation by gravity from the system to be provided, or for other reasons should be allowed to be withdrawn, then such lands shall be excluded by granting such petition in whole or in part, and such excluded lands and the owners thereof thereby waive all right to be served with water from such irrigation system or by said district.

Sec. 23. All districts established under the provisions of this Act may sue and be sued in any and all courts of this State in the name of such district, and all courts of this State shall take judicial knowledge and notice of the establishment of such district and the boundaries thereof,

and such districts shall contract and be contracted with in the name of such districts.

Sec. 33. The members of the board of equalization and the secretary while acting as secretary of said board, shall receive such compensation for their services as may be fixed by the board of directors of the district, not to exceed, however, the sum of six dollars per day for the time actually engaged in the discharge of such duties.

Sec. 53. Notice of such election stating the maximum amount of bonds to be issued, which amount shall not exceed the engineer's estimate, together with the amount of necessary incidental expenses, organization expenses, and the cost of additional work which it may become necessary to add to the engineer's estimate by any change or modification made by the directors of the district in the proposed work; also stating the proposed maximum interest rate thereon, and the proposed maximum maturity date of said bonds; also stating the time and place or places of holding the election, shall be given by the secretary of the board of directors, as ordered by the directors, by posting notices thereof in four public places in such district and one at the courthouse door of the county or counties in which said district is situated. Such notice shall be posted for at least twenty days prior to the date of the election. Said notice shall also be published in the manner prescribed in Section 43, Chapter 87, Acts Thirty-fifth Legislature, Regular Session.

The said notice shall contain substantially the proposition to be voted on as herein provided; provided, however, the bonds so voted upon may be issued to mature in serial form at any date not to exceed the maximum date stated in the notice and may be issued at any rate of interest not to exceed the rate of interest stated in such notice. Said notice shall also contain a summary of the engineer's estimate of the cost of construction of the proposed improvements, and estimate of cost of construction of the proposed improvements, and estimate of cost of purchase of any existing improvements to be purchased, together with additions thereto as herein provided. It, however, contract with the

United States is proposed for election, the notice shall state the maximum amount of money payable for construction purposes, exclusive of penalties and interest.

Sec. 56. Immediately after the election the presiding judge at each polling place shall make return of the result in the same manner as provided by law in general elections, such return to be made to the secretary of such district, who shall keep same in a safe place, and deliver them, together with the returns from the several polling places, to the directors of such district, who shall, at the regular session or a special session called for that purpose, canvass said returns and declare the result thereof. In a district operating under authority of Section 59 of Article 16 of the Constitution, a majority vote is required in favor of the issuance of bonds and in other districts a two-thirds majority is required. If said canvass of said returns shows said bonds issue to have been adopted, or said election to have been in favor of making contract with the United States, as the case may be, and the levy of tax, then said directors shall declare the result of said election to be in favor of the issuance of the bonds, or in favor of the making of contract with the United States, and the levy of tax and payment therefor, and shall cause the same to be entered in their minutes.

Sec. 57. After the canvass of the vote and declaring the result, as provided for in the preceding section, the directors for said district shall make and enter an order directing the issuance of bonds, or authorizing the execution of contract with the United States for such district, as the case may be, sufficient in amount to pay for such proposed improvements, together with all necessary incidental expense connected therewith, not to exceed the amount specified in the order for the election and the notice of election. In districts organized under the authority of Article 52 of Section 3 of the Constitution the amount of such bonds, or the amount of contract indebtedness with the United States, shall not exceed in amount one-fourth of the actual assessed value of the real property in such district, as shown by the assessment thereof made for



the purpose of determining the value thereof, or at the last annual assessment as provided for in this Act. This limitation of indebtedness of one-fourth of the assessed value shall not apply to districts organized the authority of Section 59, of Article 16 of the Constitution. Provided, however, that if, after an election has been held for the issuance of bonds or for contract with the United States, and the tax authorized and levied, and bonds have been authorized to be issued, or have been issue as provided for in this Act, or contract with the United States authorized or executed, as the case may be, the directors for said district shall consider it necessary to make any modifications in said district, or in any of the improvements thereof, or shall determine to purchase or construct any further or addition improvements therein and issue additional bonds upon the report of the engineers, or shall determine to make supplemental contract with the United States, or upon its own motion may find it necessary to make said additional improvements, or purchase additional property in order to carry out the purpose for which said district was organized, or to best serve the interests of said district, said finding shall be entered of record, and notice of an election for the issuance of said bonds, or for the authorization of contract with the United States, shall be given, and such election held within such times, and the returns of such election made as hereinbefore provided for in cases of original election, and the result thereof determined in the same manner. If the result of such election be declared to be in favor of the issuance of such bonds or the making of such contract with the United States, said directors may order such bonds to be issued, or may negotiate and execute supplemental contract with the United States, as in the manner provided in this Act. And provided, that if a contract is made with the United States as in Section 21 hereof provided, and bonds are not to be deposited with the United States in connection with said contract, bonds need not be issued, or if required to raise funds in addition to the amount of such contract, said bonds shall be issued only in the amount needed in addi-

tion thereto. Provided further, that whenever such a district shall have constructed or purchased improvements and same shall be damaged so that it may be necessary to raise funds to repair such damage, such district may either issue bonds to secure such funds or may issue its notes to run not to exceed twenty years, and to bear interest at not to exceed six per cent per annum. Before such notes are issued the board of directors shall order an election and give notice thereof as required in bond issues stating the purpose for which they are to be issued, the time they are to run, and the rate of interest they are to bear, and the time and place of said election. The ballots for such election shall have printed thereon "For Issuance of Notes" and "Against Issuance of Notes." The election shall be held and returns made and canvassed as provided for bond elections. If two-thirds majority of those voting at such election vote in favor of the issuance of such notes the board of directors may issue same and sell same for the benefit of said district. Such notes shall not be issued in an amount of more than thirty thousand dollars. At the time such notes are issued or sold the board of directors shall levy a tax for the purpose of paying the interest thereon and creating a sinking fund sufficient to pay such interests and to pay said notes within the time of their maturity. Said notes may be issued in serial form to mature in installments as determined by the directors.

Sec. 60. Any such district in this State desiring to issue bonds in accordance with this Act shall, before such bonds are offered for sale, bring an action in the district court in any county of the judicial district in which said district, or any part thereof, may be situated, or in the district court of Travis County, to determine the validity of any such bonds, or such district contracting with the United States in accordance with this Act shall, if requested by the Secretary of the Interior, bring an action in said court to determine the validity of said contract. Such action shall be in the nature of a proceeding in rem, and jurisdiction of all parties interested may be had by publications of a general notice thereof once each week for at least two consecutive weeks in some paper

of general circulation published in the county or counties in which such district is situated, and if not paper is published in the county then same shall be published in a paper in the nearest county thereto where a paper is published. Notice shall also be served upon the Attorney General of the State of Texas of the pendency of said action in the same manner as in civil suits. The Attorney General may waive service in such suits when furnished a full transcript of the proceedings had in the formation of such district and in connection with the issuance of said bonds, or in connection with the authorization of said contract with the United States and a copy of the contract.

Sec. 65. The county commissioners court in the county in which such district may be situated, in whole or in part, shall provide a well bound book in which a list of said bonds shall be kept by the county clerk, showing their numbers, amount, rate of interest, date of issue, when due, and where payable, and said book shall be a public record.

Sec. 69. There is hereby created what shall be termed the "Interest and Sinking Fund" for such district, and all taxes collected under the provisions of this Act, for such fund, shall be credited to such fund, and shall never be paid out, except for the purpose of satisfying and discharging the interest on said bonds, or for the payment of such bonds, and to defray the expense of assessing and collecting such tax, and for the payment of principal and interest due or to become due to the United States under any contract between the district and the United States accompanying which bonds of the district have not been deposited with the United States, as in Section 21 hereof provided. Such fund shall be paid out upon order of the directors for such district upon warrants drawn therefor, as hereinbefore provided, and at the time of such payment the depository for such district shall receive and cancel any interest coupon so paid or any bond so paid, and when any such interest coupon or bond has been paid it shall be delivered to the directors and be cancelled and destroyed.

Sec. 70. There shall also be created a fund to be known as

"Maintenance and Operating Fund" and such fund shall consist of all moneys collected by assessment or otherwise for the maintenance and operation of the properties owned or acquired by such district, or for temporary annual rental due to the United States, and out of this fund shall be paid all expenses of operation of every kind except the expense of assessing and collecting taxes for the interest and sinking fund; and for the payment of any balance due on construction or for extensions and improvements, not otherwise provided for, such debts to be paid upon warrants executed as otherwise provided herein.

Sec. 80. Where any such district proposed to be established lies partly within two or more counties a petition in accordance with the requirements of this Act shall be presented to the county commissioners court of each county in which a portion of said district shall lie. Said petition shall describe the whole district and also that portion of same in the county where said petition is presented. The court shall have jurisdiction over all matters, herein provided for, pertaining to the territory lying in their county. All notices and procedure provided for in this Act in the formation of such districts shall be followed and carried out by the court in each such county as applying to the territory therein to be included in said district. The election herein provided for for the establishment of such district and the election of directors thereof shall be ordered as herein provided by the county commissioners court of each county in which any portion of said district shall lie, for the portion of said district in said county. Said election shall be ordered, provided for and conducted as if the territory lying in said county was in itself to be incorporated in such district, but such orders and notices shall state that same is part of such entire proposed district. The said election shall be held in the territory lying in each county on the same day. The returns of said election shall be made to the officers of the county wherein said election is held and shall be canvassed by the county commissioners court, as provided by law. Said court shall determine and certify to the number of votes cast in favor of the formation of said

district and the number of votes cast against the formation of said district and the number of votes cast for each person voted for for the office of directors. Within five days, or as soon as possible, after said election returns have been canvassed by said court, the clerk of the said commissioners court shall certify and report the result of said election and the number of votes polled for each side of said proposition and the number of votes polled for each person voted for for director to the county judge of the county in which the largest portion of said district is situated, and said county judge shall canvass said entire vote and determine the number of votes received for the formation of said entire district and the number of votes received against the formation of said entire district, and also the number of votes received by each person voted for as directors in said entire district, and shall declare the result thereof. If it be found and determined that a majority of the property tax paying voters voting thereon in said entire district have voted in favor of the creation of said district the said county judge shall declare the result thereof in the manner herein provided in Section 10 of this Act, and copies thereof shall be filed for record in the deed records of each county in which a part of said district lies as provided in Section 11 hereof. Said county judge shall also issue to the five persons receiving the highest number of votes for the office of director certificates of their election. In the event two persons should receive the same number of votes the other directors elected may proceed to qualify as herein provided, and such directors so elected and qualified shall order a new election to fill such vacancy caused by such tie vote. The board of directors elected for such district shall qualify and meet as herein provided and shall have charge of the affairs of the district in the same manner as herein provided for districts lying wholly within one county. The bonds of such directors shall be approved by the commissioners court of the county embracing the part of said district in which they live or in which their property is situated.

Sec. 108. All districts organized under the provisions of this Act

shall have full authority, acting by and through its board of directors, to construct all works and improvements necessary for the irrigation of lands in said districts, and to supply, deliver and sell water for domestic power, and commercial purposes when operating under the authority of Section 59 of Article 16 of the Constitution; and fully to carry out the purposes of its organization and the conservation and use of water for the several purposes authorized by the Constitution; and by the Constitution and laws of this State, and to acquire the right to the use of water in the manner provided by law, and the directors of such districts, subject only to the provisions thereof, shall have full authority to manage such districts and the business of such districts for the purpose of carrying out the intention and purposes of the organization.

Sec. 2. There shall be added to said Act, being Chapter 87, Acts of the Thirty-fifth Legislature, Regular Session, providing for the organization and operation of water improvement districts, certain additional provisions embraced in Section 118a, 119, 120, 121 as follows, to-wit:

"Section 118a. Whenever a district proposed to be organized as herein provided contains within its boundaries as proposed and described in the petition for organization of a town, city or municipal corporation, or part thereof, then the county commissioners court calling the election to determine said question as herein provided shall constitute said territory within said town, city or municipal corporation, a separate election precinct, with one or more polling places, and the vote received for and against the proposition within said town, city or municipal corporation shall be separately canvassed by the said court to determine whether or not a majority of those voting at said election within said town, city or municipal corporation voted for or against said proposition. If a majority of those voting at said election within such town, city or municipal corporation vote against the formation of such district then same shall not be formed including such town, city or municipal corporation but if a majority of the votes therein is in favor

of the formation of such district then such votes shall be canvassed with the votes of the balance of said entire district to determine the result of said election."

Section 119. The maintenance charge may be fixed as provided in Section 95 of this Act, or same may be determined upon the basis of the quantity of water used, and if based upon the use of water a fixed charge may be made on all lands or water connections entitled to receive and use water, and an additional charge may be made, or a graduated scale adopted, for the use of water in excess of that covered by the minimum charge. The district may install proper measuring devices.

Section 120. Where a district includes a city or town, or contracts with a city or town to supply it water, the charge for the use and delivery of such water, and the time and manner of payment therefor shall be determined by the board of directors and be specified in a standing order of said board.

Section 121. Any two or more irrigation districts, or water improvement districts, governed by the provisions of this Act and amendments thereof, may be consolidated into one district in the following manner: The terms and conditions upon which such consolidation is to be effected shall be agreed upon by the board of directors of each district, and then the question shall be submitted to a vote in each district after giving notice thereof for at least twenty days in the manner provided by law for other elections. The election shall be held in such districts on the same day. The consolidation to be effected only in the event same is adopted by each and all districts. When two or more districts are consolidated their obligations shall not be impaired but shall be protected and paid by taxes levied upon the property in the district creating said debt or by assessments in the same manner and extent as if said consolidation had not been effected. After consolidation such taxes shall be assessed and collected by the officers of the consolidated district, and in the event they should fail or refuse to assess and collect same, for such purpose, in due order and time, then same may be assessed and collected, and paid on such obligations, by a receiver appointed by and acting under

the orders of a district court, in a proper suit which may be brought by a creditor or by five or more tax payers of such district.

When two or more districts are consolidated into one district, same shall be governed as and be one district, except that the debts of each district, created prior to such consolidation, shall be paid as herein provided; provided, however, such consolidated district may contribute to such payments upon the terms stated in the consolidated agreement. When two or more districts are consolidated the officers of said respective districts shall continue to act jointly as the officers of said district, and to wind up the affairs of their respective districts as affected by said consolidation, for a period of ninety days after the date of the election, and they may continue to so act until the next general election if so provided by the consolidation agreement, or the consolidation agreement may provide who shall constitute the first board of directors to serve until the next general election if the officers then serving agree to resign. Said new officers shall within the period of ninety days after the election qualify as such officers of the consolidated district and assume such offices at the expiration of said period. All bonds of such officers will be approved by the then existing board of directors.

Section 3. Any and all Acts of the Legislature in conflict with the provisions hereof are repealed in so far only as they conflict with the provisions hereof; provided this Act shall not in any manner affect or repeal other laws providing other methods of forming similar districts.

Sec. 4. The fact that there are water improvement districts now being formed in the State that cannot properly be organized or operate under the present law and that the promotion of the agricultural interests of a large portion of the State are seriously affected by the defects of the present law, constitute an imperative public necessity requiring the suspension of the constitutional rule requiring bills to be read on three several days, and said rule is hereby suspended, and this Act shall take effect and be enforced from and after its passage, and it is so enacted.

The following amendment by

Senator Dudley was read and adopted:

(2) Amend S. B. No. 18 by striking out all above the enacting clause and inserting in lieu thereof the following:

S. B. No. 18, A bill to be entitled "An Act to amend Sections 1, 7, 8, 9, 10, 13, 15, 17, 19, 23, 33, 53, 56, 57, 60, 65, 69, 70, 80 and 108 of Chapter 87 of the Acts of the Thirty-fifth Legislature, Regular Session, and Section 16 as amended by Chapter 53 Acts of the Thirty-sixth Legislature, Fourth Called Session; providing for the organization and operation of water improvement districts, and adding to said Act certain new sections numbered 118a, 119, 120, 121. Giving commissioners courts authority to create water improvements, and providing the method of creation and operation of such districts under the authority granted by Section 52 of Article 3 of the Constitution of Texas, or under Section 59 of Article 16 of the Constitution. Providing the requisite of petition for organization for notice of hearing thereon and ordering of elections to establish such district and declaring the result thereof. Providing for the government of such districts, the election of directors and appointment of tax assessors and collectors, the method of issuing bonds by such district, and issuing notes and other obligations, the levying, assessing and collecting of taxes by such districts. Providing the method of organizing districts embracing territory in two or more counties, providing for the construction of improvements by joint action of two or more districts, providing for the consolidation of districts, providing for districts under the authority granted by Section 59 of Article 16 of the Constitution, to furnish water for domestic, power and commercial purposes, providing additional methods of raising funds by charges for the use of water and by taxation, providing penalty for the organization, operation and conduct of water improvement districts, providing the method of excluding lands from such district, providing for compensation for officers of such districts, repealing all laws in conflict herewith, and declaring an emergency."

Senator Dudley offered the following:

Amend the bill by adding a new section as follows:

Section 25a. At the time of the

creation of any improvement districts as herein provided for, or at any time thereafter before such district shall have issued bonds, the directors for such districts shall have the right to submit to the qualified electors in such district the question of whether the taxes to be levied therein, or any portion thereof, shall be levied, assessed and collected upon an "equitable" basis in proportion to benefits to be conferred by the organization, operation and maintenance of such district, and the work and improvements to be created thereby; or whether such taxation or any portion thereof shall be levied upon ad valorem basis. Such question shall be submitted to the qualified voters of such district at any time and in any manner and form which the directors may elect; provided that the ballot to be used shall have plainly printed thereon in substance the following words: "In favor of the levy of taxes upon a benefit basis instead of an ad valorem basis" and "Against the levy of taxes on a benefit basis instead of an ad valorem basis"; and such election shall be governed by the provisions of this law relating to other elections so far as applicable. If a majority of the votes cast at such election shall be in favor of the levy and collection of taxes or any part thereof upon a "benefit" basis instead of an ad valorem basis, then the directors for such district shall at some convenient time thereafter, and from time to time as may be necessary, sit as a board to apportion and assess the benefits to be conferred upon any and all property situated within such improvement district, and shall cause a record to be made showing the amount and value of the benefits computed to accrue to all the property situated within such district, and subject to taxation and the amount of the tax upon such basis to be levied against and collected from such property, provided that no tax so assessed or charged against any such property shall be in excess of the value or benefits accruing and to accrue to such property from the organization, operation and maintenance of such district and the improvements to be constructed thereby. After such record shall have been made up the Board shall cause a notice to be mailed to each prop-

erty owner whose name appears upon such record, showing the amount of tax to be levied against such property and fixing a date and place at which such owner may appear and contest the correctness and equitableness of such tax; and after such hearing such Board of Directors shall determine the equitableness of the tax and sustain, reduce or increase the same, as in their judgment shall be just and equitable, and the decision of such Board shall be final.

All of the other provisions of this act not inconsistent herewith shall apply to the levy, assessment and collection of taxes in this section provided for.

On motion of Senator Parr the amendment was tabled.

The bill was read second time and passed to engrossment.

On motion of Senator Dudley, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 18 put on its third reading and final passage by the following vote:

Yeas—26.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Parr.
Carlock.	Rector.
Clark.	Smith.
Cousins.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.

Absent.

Hall. Page.

Absent—Excused.

Johnston. McNealus.

The bill was laid before the Senate, read third time, and on motion of Senator Dudley was passed by the following vote:

Yeas—25.

Alderdice.	Clark.
Bailey.	Cousins.
Buchanan of Bell.	Dayton.
Buchanan of Scurry.	Dean.
Caldwell.	Dorough.
Carlock.	Dudley.

Faust.	Strickland.
Gibson.	Suiter.
Hertzberg.	Westbrook.
Hopkins.	Williford.
Parr.	Witt.
Rector.	Woods.
Smith.	

Absent.

Floyd. Page.  
Hall.

Absent—Excused.

Johnston. McNealus.

Senate Bill No. 38.

The Chair laid before the Senate on second reading:

S. B. No. 38, A bill to be entitled "An Act to amend Article 7380 of the Revised Statutes of the State of Texas of 1911, by requiring those engaged in the business of a whole-sale or retail dealer of pistols or in the business of leasing or renting pistols to make quarterly reports on certain dates, under oath, to the comptroller showing the gross amount collected and uncollected from any and all sales, conditional sales, leases, rentals, or transfers of pistols in this State, during the next preceding quarter and requiring them to pay an occupation tax for the quarter beginning on said date equal to fifty per cent of said gross receipts as shown by said reports, and declaring an emergency."

On motion of Senator Caldwell the bill was laid on the table subject to call.

Senate Bill No. 72.

The Chair laid before the Senate on second reading:

S. B. No. 72, A bill to be entitled "An Act changing the name of the Forty-fourth Judicial District Court of Texas to the 'Dallas County District Court of Domestic Relations and re-districting the jurisdiction in part, and providing for the transfer of cases between the Fourteenth and Sixty-eighth District Courts; and providing for the Dallas County District Court of Domestic Relations to sit as a 'Juvenile Court,' and increasing the number and duties of the Probation Officers for Dallas County;

and repealing all laws in conflict herewith."

On motion of Senator Suiter the bill was laid on the table subject to call.

### Senate Bill No. 56.

The Chair laid before the Senate on second reading:

S. B. No. 56, A bill to be entitled "An Act to lease islands, salt water lakes, bays, inlets, reefs and marshes owned by the State within the water limits, and that portion of the Gulf of Mexico within the jurisdiction of the State of Texas, for the production of oil and natural gas, etc."

Senator Buchanan of Scurry offered the following amendments which were read and adopted, serially:

(1) Amend S. B. No. 56, page 1, line 17, by striking out the words "game, fish and oyster fund" and inserting in lieu thereof the words "general revenue fund."

(2) Amend S. B. 56, page 1, line 30, by inserting after the word "Texas" the words "and the unsurveyed public free school lands," and amend the caption by inserting the same words after the word "Texas" in line 9 on same page.

(3) Amend S. B. No. 56, page 2, line 23, by adding the words "not to exceed ten years from the date of said lease" after the word "lease."

(4) Amend S. B. No. 56, page 3, by striking out of lines 22 and 23 the sentence "all leases shall date from the time the application was filed."

(5) Amend S. B. No. 56, page 5, by striking out all after the word "with" in line 6, down to "the" in line 7 on said page 5 and inserting in lieu thereof the following: "All amounts received from the unsurveyed school lands and with two-thirds of the amount so received from other areas and shall credit the general revenue fund with the remaining one-third from said other areas."

The bill was read second time and passed to engrossment.

On motion of Senator Buchanan of Scurry, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 56 put on its third reading and final passage by the following vote:

Yeas—26.

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Parr.
Carlock.	Rector.
Clark.	Smith.
Cousins.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.

Absent.

Hall.

Page.

Absent—Excused.

Johnston.

McNealus.

The bill was laid before the Senate, read third time, and, on motion of Senator Buchanan of Scurry, was passed finally.

### Messages from the Governor.

Governor's Office,

Austin, Texas, July 10, 1919.

To the Thirty-sixth Legislature in Second Called Session.

At the request of Senator W. L. Dean, I submit for your consideration the following subject, to-wit:

"An Act making it the duty of every oil pipeline company or concern or individual doing a pipeline business in the State of Texas to make to the Comptroller of the State and to the Railroad Commission of this State written reports, etc."

Respectfully submitted,

W. P. HOBBY, Governor.

Governor's Office.

Austin, Texas, July 10, 1919.

To the Thirty-sixth Legislature of the State of Texas in Second Called Session assembled.

Gentlemen: At the request of Representative Fly, I beg to submit for your consideration the following subject, to-wit:

"An Act to amend Section 2 of H. B. No. 155, enacted by the Fourth Called Session of the Thirty-fifth Legislature, amending and revising the metes and bounds of the Nixon Independent School District."

Respectfully submitted,

W. P. HOBBY, Governor.

Governor's Office,  
Austin, Texas, July 10, 1919.  
To the Thirty-sixth Legislature in Second Called Session assembled.

Gentlemen: At the request of Senator Williford, I beg to submit for your consideration the following subject, to-wit:

"An Act granting to Brazos County, a more efficient and better road law, etc., and declaring an emergency."

Respectfully submitted,

W. P. HOBY, Governor.

Governor's Office,  
Austin, Texas, July 10, 1919.  
To the Thirty-sixth Legislature in Second Called Session assembled.

Gentlemen: At the request of Representative Davis of Van Zandt, I beg to submit for your consideration, the following subject, to-wit:

"An Act to amend Article 6938, Chapter 4, of the Revised Civil Statutes, prescribing the places where road overseers shall place index boards, and prescribing penalty for failure to comply with this Act."

Respectfully submitted,

W. P. HOBBY, Governor.

Governor's Office,  
Austin, Texas, July 10, 1919.  
To the Thirty-sixth Legislature in Second Called Session assembled.

Gentlemen: At the request of Representative Nordhouse, O. B. Black, Lange, Parnell, John Davis, Sentell, Fairchild, Pool, Walker of Newton, Taylor, Bolin, Thamosan of Nacogdoches, Wallace Malone, Pope, Richardson, Hill of Wheeler, Murphy, Hall, Faubian, Brady and many others, I beg to submit for your consideration the following subject, to-wit:

"An Act to provide for the payment of Texas soldiers and sailors who enlisted in the defense of the State in the war between the United States and the German empire; providing for the issuance and sale of bonds of the State for raising the necessary funds therefor; providing for the raising of revenue to pay the interest on said bonds and creating a sinking fund for redemption of same, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY, Governor.

Governor's Office,  
Austin, Texas, July 10, 1919.  
To the Thirty-sixth Legislature in Second Called Session assembled.

Gentlemen: At the request of Rep-

resentative Davidson, I beg to submit for your consideration, the following subject, to-wit:

"An Act to provide for the construction of a road and highway in and through the San Jacinto State Park, and to provide for the use of convict labor for the construction of such road and highway, and to appropriate out of the General Revenue not heretofore appropriated the sum of twenty thousand dollars for the construction and maintenance of such road, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY, Governor.

Governor's Office,  
Austin, Texas, July 10, 1919.  
To the Thirty-sixth Legislature in Second Called Session assembled.

Gentlemen: At the request of Representative Gaddy, I beg to submit for your consideration the following subject, to-wit:

"An Act to amend Chapter 28 of the Acts of the Thirty-fifth Legislature First Called Session, approved May 19, 1917, amending Chapter 15, Title 48 of the Revised Civil Statutes of the State of Texas by adding Article 2815-c so as to provide that Article 2815-c shall not be applicable in the case of any city which votes to extend its city limits without affecting an adjacent School Districts or Districts, a portion or portions of which may be included within such limits as extended."

Respectfully submitted,

W. P. HOBBY, Governor.

Governor's Office,  
Austin, Texas, July 10, 1919.  
To the Thirty-sixth Legislature in Second Called Session:

Through the diligent and patriotic efforts of Mr. Kendall B. Cressey, editor of the Austin American, I am pleased to inform your honorable body that I now have in my custody the cornerstone of the first permanent State Capitol of Texas.

Recently, Mr. Cressey and others have been actively interested in the reclaiming of this relic, which was thought to be in the possession of a former resident of Texas, now living in Denver, Colorado. It has recently come to my knowledge that the cornerstone had been in Austin, and used as a doorstep in front of a home in this city. This information came to me when a committee, consisting of Mr. Cressey, the editor of the Aus-



tin American, Mr. A. J. Zilker, Mrs. Blanche G. Merritt and Mr. O. M. Caldwell, brought the stone to my office on the afternoon of July 9th, and left the same in my office.

By reason of the intrinsic value of this historic old relic, I feel that it properly should belong to the State, and be placed on exhibition at a suitable spot, and preserved to commemorate the early days of Texas' statehood.

I will therefore hold this cornerstone of the first permanent Capitol of the State, here in my office, subject to the direction of the Legislature with respect to its disposition in a manner in keeping with its historic significance.

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Governor's Office.

Austin, Texas, July 10, 1919.

To the Thirty-sixth Legislature in Second Called Session:

At the request of Senator W. L. Dean, I submit for your consideration the following subject, to-wit:

"The creation of Common School District No. 20, Walker County, Texas."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

#### Senate Bill No. 47.

The Chair laid before the Senate on second reading:

S. B. No. 47, A bill to be entitled "An Act to authorize and direct the Secretary of State to exchange Court Reports, sessions, Acts and other publications of other States and of the United States and of foreign countries for the benefit of the Law Library of the University of Texas, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Caldwell, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 47 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Buchanan of Scurry.
Bailey.	Caldwell.
Buchanan of Bell.	Carlock.

Clark.	Hopkins.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.
Hertzberg.	

Absent.

Hall.	Rector.
Page.	

Absent—Excused.

Johnston.	McNealus.
-----------	-----------

The bill was laid before the Senate, read third time, and, on motion of Senator Caldwell, was passed finally.

#### Senate Bill No. 49.

The Chair laid before the Senate on second reading:

S. B. No. 49, A bill to be entitled "An Act to amend Section 1 of Chapter 159 of the laws passed by the regular session of the Thirty-sixth Legislature establishing a State Home for Dependent and Neglected Children so as to provide that the Lieutenant Governor shall be a member of the Board to select a site for said Institution, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Caldwell the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 49 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Faust.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Parr.
Caldwell.	Smith.
Carlock.	Strickland.
Cousins.	Suiter.
Dayton.	Westbrook.
Dean.	Williford.
Dorough.	Witt.
Dudley.	Woods.

Nays—1.

Clark.

**Absent.**

Floyd, Page.  
Gibson, Rector.  
Hall.

**Absent—Excused.**

Johnston. McNealus.

The bill was read third time and Senator Buchanan of Bell offered the following amendments which were read:

Senator Hopkins moved to reconsider the vote by which S. B. No. 49 was passed to engrossment.

The motion pending.

**Adjournment.**

At 6 o'clock p. m., the Senate on motion of Senator Bailey, adjourned until 10 o'clock tomorrow morning.

**APPENDIX.****Petitions and Memorials.**

Senator Buchanan of Bell, offered a letter from druggists of Temple, asking support of S. B. No. 91 and H. B. No. 143.

**Engrossing Committee Reports.**

Committee Room,  
Austin, Texas, July 10, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 52 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, July 10, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 10 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, July 9, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 19

carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, July 9, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 89 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, July 9, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 39 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, July 9, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 59 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, July 8, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 61 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, July 9, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Committee Substitute for S. B. No. 60 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, July 10, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 105 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

**Committee Reports.**

Committee Room,  
Austin, Texas, July 3, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Educational Affairs to whom was referred S. B. No. 120 have had same under consideration, and I am instructed to report it favorably with the recommendation that it do pass and that it be not printed, same being a Local School Bill.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, July 3, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Educational Affairs to whom was referred H. B. No. 112 have had same under consideration, and I am instructed to report it favorably with the recommendation that it do pass and that it be not printed, same being a Local School Bill.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, July 3, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Educational Affairs to whom was referred H. B. No. 114, have had same under consideration, and I am instructed to report it favorably with the recommendation that it do pass and that it be not printed, same being a Local School Bill.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, July 3, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Educational Affairs to whom was referred S. B. No. 106 have had same under consideration, and I am instructed to report it favorably with the recommendation that it do pass and that it be not printed, same being a Local School Bill.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, July 3, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Educational Affairs to whom was re-

ferred H. B. No. 66 have had same under consideration, and I am instructed to report it favorably with the recommendation that it do pass and that it be not printed, same being a Local School Bill.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, July 10, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Educational Affairs to whom was referred S. B. No. 102 have had same under consideration, and I am instructed to report it favorably with the recommendation that it do pass.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, July 10, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Educational Affairs to whom was referred S. B. No. 86 have had same under consideration, and I am instructed to report it favorably with the recommendation that it do pass.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, July 10, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Educational Affairs to whom was referred S. B. No. 112 have had same under consideration, and I am instructed to report it unfavorably with the recommendation that it do not pass.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, July 10, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Educational Affairs to whom was referred S. B. No. 93 have had same under consideration, and I am instructed to report it favorably with the recommendation that it do pass.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, July 10, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Educational Affairs to whom was referred H. B. No. 65 have had same

under consideration, and I am instructed to report it favorably with the recommendation that it do pass, and that it be not printed.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, July 10, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Educational Affairs to whom was referred S. B. No. 101 have had same under consideration and I am instructed to report it favorably with recommendation that it do pass.

ALDERDICE, Chairman.

(Floor report.)

Senate Chamber,  
Austin, Texas, July 10, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

S. B. No. 115, A bill to be entitled "An Act providing that any person who is the owner or keeper of any dog which is accustomed to run, worry or kill sheep or goats who shall permit such dog to run loose at large after having information that such dog is so accustomed to run, worry or kill sheep or goats, shall be deemed guilty of a misdemeanor and punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment, and declaring an emergency,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Clark, Chairman; Buchanan of Scurry, Dorrough, Parr, Dudley, Bailey.

(Floor report.)

Senate Chamber,  
Austin, Texas, July 10, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

H. B. No. 77, A bill to be entitled "An Act to exempt the County of Uvalde from the provisions and

operations of Articles 7256 to 7304 inclusive, of Chapter 7, Title 124 of the Revised Civil Statutes of 1911, and all Acts amendatory, thereto, relating to the inspection of hides and animals and repealing all laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Clark, Chairman; Buchanan of Scurry, Dorrough, Parr, Dudley, Bailey.

(Floor report.)

Senate Chamber,  
Austin, Texas, July 10, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

H. B. No. 23, A bill to be entitled "An Act to mend Article 7305 of the Revised Civil Statutes of the State of Texas, 1911, as the same was amended by Chapter 114 of the Acts of the Regular Session of the Thirty-fifth Legislature, relating to the inspection of hides and animals, by striking therefrom the word "Bailey," so as to include Bailey County among the counties subject to the provisions of Chapter 7, Title 124 of the Revised Civil Statutes of 1911, as the same was amended by Chapter 127, Acts of the Regular Session of the Thirty-fifth Legislature, relating to regulations for the protection of stock and stock raisers in certain localities, and declaring an emergency,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Clark, Chairman; Buchanan of Scurry, Dorrough, Parr, Dudley, Bailey.

(Floor report.)

Senate Chamber,  
Austin, Texas, July 10, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

S. B. No. 126, A bill to be entitled "An Act to provide for the Live

Stock Sanitary Commission of Texas or its authorized representatives to sell the hides of any predatory animals killed under the authority of Chapter 107 of the Acts of the Regular Session of the Thirty-sixth Legislature, and remit such funds to the State Treasurer, and such funds be set apart to be drawn and used by the Live Stock Sanitary Commission for the further eradication of predatory animals under authority of said Chapter 107, and declaring an emergency."

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Clark, Chairman; Buchanan of Scurry, Dorrough, Parr, Dudley, Bailey.

(Floor report.)

Senate Chamber,  
Austin, Texas, July 10, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

S. B. No. 54, A bill to be entitled "An Act to establish and fix the salary of the Chairman of the Live Stock Sanitary Commission, repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Clark, Chairman; Dorrough, Parr, Dudley, Bailey.

Committee Room,  
Austin, Texas, July 10, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Finance, of which was referred

S. B. No. 7, a bill to be entitled "An Act to make certain Emergency Appropriations out of the general revenue for the payment of additional salaries in conformity with the laws passed by the 36th Legislature increasing the salaries of 86 District Judges from June 18th to Aug. 31, 1919, inclusive; For seven Criminal District Judges from June 18th to Aug. 31 inclusive; for twenty-seven Judges, Courts of Civil

Appeals from June 18th to Aug. 31st inclusive; For three Judges of Supreme Court from June 18th to Aug. 31st inclusive; for three Judges Court of Criminal Appeals from June 18th to August 31st inclusive and for six Judges Commission of Appeals, for the Commission of Appeals, for the fiscal year ending August 31st, 1919, and declaring an emergency,"

Have had same under consideration, and beg to report same back to the Senate with the recommendation that it do pass and be printed.

WESTBROOK, Chairman.

Committee Room,  
Austin, Texas, July 10, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Finance of which was referred

S. B. No. 130, a bill to be entitled "An Act to make certain emergency appropriations out of the general revenue for the Texas Ranger Force for the fiscal year ending August 31, 1919, and declaring an emergency,"

Have had same under consideration, and beg to report same back to the Senate with the recommendation that it do pass and be printed.

WESTBROOK, Chairman.

Committee Room,  
Austin, Texas, July 10, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 116, having had the same under consideration, beg leave to report it back to the Senate with the recommendation that it do pass.

SUITER, Chairman.

Committee Room,  
Austin, Texas, July 10, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, a majority of your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 17, having had the same under consideration, beg leave to report it back to the Senate with the recommendation that it do not pass.

SUITER, Chairman.

## (Minority Report.)

Committee Room,  
Austin, Texas, July 10, 1919.

Hon. W. A. Johnson, President of  
the Senate.

We, a minority of your Committee  
on Criminal Jurisprudence, to whom  
was referred

S. B. No. 17, having had the same  
under consideration, beg leave to re-  
port it back to the Senate with the  
recommendation that it do pass.

W. R. COUSINS.

Committee Room,  
Austin, Texas, July 9, 1919.

Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on  
State Affairs, to whom was referred

S. B. No. 107, a bill to be entitled  
"An Act creating the office of Game,  
Fish and Oyster Commissioner; pro-  
viding for his appointment; prescrib-  
ing his qualifications, defining their  
powers and duties; and for the pro-  
tection of fish, oysters, turtle, terra-  
pins, shrimp, crabs, clams, mussels,  
lobsters and all other kinds and  
forms of marine life in the public  
fresh water, tidal and coast waters of  
the State and to protect the natural  
oyster beds and reefs, and to provide  
for the location of private beds, pre-  
scribing the terms, tax and conditions  
upon which fish, shrimp, crabs, clams,  
turtle, terrapin, mussels, lobsters and  
other forms and kinds of marine  
life may be taken from the waters of  
this State; providing that this Act  
shall be construed to be a continua-  
tion of all former laws upon the  
subject; and providing that all suits  
now pending involving laws affected  
by this Act shall not abate but shall  
be prosecuted under such former  
laws and under this Act; fixing the  
penalties for violation of the Act,  
and declaring an emergency."

Have had same under considera-  
tion and I am directed by said com-  
mittee to report the said bill back to  
the Senate with the recommendation  
that it do pass.

WILLIFORD, Chairman.

Committee Room,  
Austin, Texas, July 9, 1919.

Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on State  
Affairs to whom was referred Senate  
Bill No. 14, having had the same

under consideration, beg leave to  
report it back to the Senate with  
the recommendation that it do pass.  
WILLIFORD, Chairman.

Committee Room,  
Austin, Texas, July 9, 1919.

Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Fed-  
eral Relations have had under con-  
sideration Senate Concurrent Resolu-  
tion No. 15, memorializing Congress  
to amend Section 13 of the Federal  
Reserve Act, and beg to report same  
back to the Senate with the recom-  
mendation that it do pass.

HERTZBERG, Chairman.

Committee Room,  
Austin, Texas, July 9, 1919.

Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Fed-  
eral Relations have had under con-  
sideration House Concurrent Reso-  
lution No. 12, relating to the Bancos  
of the Rio Grande River, beg to  
report same back to the Senate with  
the recommendation that it do pass.

HERTZBERG, Chairman.

Committee Room,  
Austin, Texas, July 9, 1919.

Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Peni-  
tentiaries, to whom was referred

H. C. R. No. 11, by Terrell, et al.,  
being a request to extend the time  
for the compliance of the contract  
between the State and Col. L. P.  
Featherstone to January 1st, 1920,  
in order that reasonable time may  
be given to adjust freight rates and  
to resume the operation of said plant  
on a paying basis.

Have had said Concurrent Resolu-  
tion under consideration and beg to  
report the same back to the Senate  
with the recommendation that it do  
pass and be not printed.

CARLOCK, Chairman.

Committee Room,  
Austin, Texas, July 9, 1919.

Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Civil  
Jurisprudence, to whom was referred

S. B. No. 119, A bill to be entitled  
"An Act to amend Article 3083 of  
the Revised Civil Statutes of the State  
of Texas, as amended by Chapter 13.

General Laws of the Thirty-sixth Legislature at its Regular Session, so as to prohibit the issuance of certificates of party nominations of ineligible candidates, and prohibiting the placing of the name of any ineligible candidate upon the ballot for any general election or special election; and declaring an emergency,"

Has had said bill under consideration, and begs to report the same back to the Senate with the recommendation that it do pass, and be not printed.

CARLOCK, Vice Chairman.

Committee Room,  
Austin, Texas, July 10, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 117, A bill to be entitled "An Act to amend Section 16 of Chapter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature as amended by Section 1 of Chapter 113 of the General Laws of the Regular Session of the Thirty-sixth Legislature, which relates to license fees charged against owners of motor vehicles; expressly repealing Sections 2 and 3 of said Chapter 113, and declaring an emergency,"

Has had said bill under consideration, and begs to report the same back to the Senate with the recommendation that it do pass, with the Committee Amendments as attached hereto, and be not printed but printed in the Journal.

CARLOCK, Vice Chairman.

Committee Amendments to Senate  
Bill No. 117.

1.

Amend Subdivision G of Section 1 of the bill by striking out the first line of figures in the schedule of weights and fees under sub-section and inserting in lieu thereof the following:

"1 to 1000	\$4.00
1001 to 1999	8.00"

and leave the remaining figures in said schedule of fees in said schedule otherwise unaffected.

2.

Amend Subdivision H of Section 1

by striking out the first line of figures in the schedule of weights and fees and inserting in lieu thereof the following:

"1 to 1000	\$ 6.00
1001 to 1999	12.00"

the other figures in said schedule to remain unaffected.

3.

Amend Subdivision I of Section 1 of said bill by striking out the figures "25,000" wherever they occur and inserting in lieu thereof the figures "22,000."

4.

Add after Sub-section J of Section 1 of the bill the following new section, to be known as Section K, and re-letter the section following to correspond, to-wit:

"K.—No motor vehicle shall be operated on the public highways of Texas with the steel rim of one or more of the wheels thereof coming in contact with the road surface on account of insufficient thickness of the tire. Any person or persons driving or operating, or permitting to be driven or operated, upon any of the public highways of this State, any commercial motor vehicle or inter-urban motor vehicle with the steel rim of any of the wheels thereof coming in contact with the road surface on account of insufficient thickness of tires, shall be guilty of misdemeanor, and upon conviction shall be punished by fine not to exceed two hundred dollars.

5.

Amend Subdivision K of Section 1 of the bill by adding at the end of said sub-section, the following:

"Provided that no such permits shall be granted owners of trucks with net carrying capacity of more than five tons, purchased and brought into this State after this law becomes effective."

6.

Amend Section 1 by adding thereto another subdivision, to be known as Subdivision "N," which shall read as follows:

"The State Highway Department shall issue, or cause to be issued, to each owner of a trailer, paying the

license fees described in Subdivisions G and H of this section, a complete set of license equipment similar to the equipment issued for motor vehicles, and a record shall be kept by said department of all trailers licensed under the provisions of said subdivisions."

"Any person operating, or permitting to be operated, on the public highways of this state a trailer not licensed as herein provided for, and any person operating or permitting to be operated on the public highways of this state a trailer to which the official license equipment provided for herein is not attached, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than ten dollars nor more than two hundred dollars; and each day such trailer shall be operated or permitted to operate upon the public highways shall constitute a separate offense."

## 7.

Amend Section 1 of the Bill by adding thereto a new subdivision, to be known as subdivision "O", which shall read as follows:

"Every motor vehicle registered in another state, which is being operated in this state as a commercial or an interurban commercial motor vehicle, as defined in this Act, shall be further registered and licensed in this state according to the same schedule of fees and rules as are provided herein for commercial and interurban commercial motor vehicles; and any person so operating such motor vehicle in this state which has not been so registered and licensed shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not exceeding two hundred dollars."

## 8.

Amend subdivision "K" of Section 1 of this Bill as amended, by striking out the second sentence in said section and inserting in lieu thereof the following:

"They may also issue special permit to increase the permissible weight per inch width of tire."

By McNealus.

S. B. No. 117.

## A BILL

To be entitled

An Act to amend Section 16 of Chapter 190 of the General Laws of the

Regular Session of the Thirty-fifth Legislature as amended by Section 1 of Chapter 113 of the General Laws of the Regular Session of the Thirty-sixth Legislature, which relates to license fees charged against owners of motor vehicles; expressly repealing Sections 2 and 3 of said Chapter 113, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Section 16 of Chapter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature as amended by Section 1 of Chapter 113 of the General Laws of the Regular Session of the Thirty-sixth Legislature is hereby amended so as to hereafter read as follows:

Sec. 16. Registration Fees. (a) In order to provide funds to effectuate the provisions of this Act, every owner of a motor vehicle or motorcycle in this State shall file in the office of the county tax collector of the county in which he resides or in which the vehicle he owns is being operated, on a blank provided by the State Highway Department, and application for the registration of each motor vehicle or motorcycle owned or controlled by him.

(b) Each application shall be accompanied by the requisite fee for the number of unexpired quarters of the calendar year, which fee for the registration of a motorcycle for a full calendar year shall be \$3.00, and for the registration of a motor vehicle, except those hereinafter designated as "Commercial Motor Vehicles" and "Interurban Motor Vehicles," shall be 35 cents per horse power as determined by the standard gauging power employed by the Association of Licensed Automobile Manufacturers, but no motor vehicle shall be registered for a full year for a less sum than seven dollars and fifty cents (\$7.50). The term motorcycle shall include only those motor-driven vehicles with less than four wheels and with the driver sitting astride.

(c) A commercial motor vehicle, under the provisions of this Act, is a motor vehicle with a net carrying capacity of one ton or more, whether used for hire or not.

(d) An interurban commercial motor vehicle, under the provisions of this Act, is a motor vehicle of net carrying capacity of one ton or more, that is used regularly in carrying passengers



or freight for hire between cities, towns and villages in this State.

(e) For each commercial motor vehicle the annual license fee shall be based upon the net carrying capacity as follows:

Net Carrying Capacity in Pounds.	Annual License Fee.
2000 to 4000.....	\$16.00
4001 to 6000.....	32.00
6001 to 8000.....	48.00
8001 to 10000.....	80.00

(f) For each interurban commercial motor vehicle the annual license fee shall be based upon the net carrying capacity in pounds as follows:

2000 to 4000.....	\$32.00
4001 to 6000.....	64.00
6001 to 8000.....	96.00
8001 to 10000.....	160.00

(g) For each trailer that may be attached to a motor vehicle not used as a commercial interurban motor vehicle operated on the public highways of Texas an annual license fee shall be paid based on the net carrying capacity of the trailer as follows:

1 to 1999.....	\$ 8.00
2000 to 4000.....	16.00
4001 to 6000.....	32.00
6001 to 8000.....	48.00
8001 to 10000.....	80.00

(h) For each trailer that may be attached to an interurban commercial motor vehicle operated on the public highways of Texas an annual license fee shall be paid based on the net carrying capacity in pounds as follows:

1 to 1999.....	\$12.00
2000 to 4000.....	24.00
4001 to 6000.....	48.00
6001 to 8000.....	72.00
8001 to 10000.....	120.00

(i) For a net carrying capacity greater than 10,000 pounds, a license fee shall be charged for each commercial vehicle and interurban commercial vehicle and trailer at the additional rate of \$100 for each 2000 pounds increase in the net carrying capacity or fraction thereof; and no vehicle with a body wider than seven feet or of a total gross weight of more than 22,000 pounds or 700 pounds per inch width of tire;

shall be licensed or be operated on the public highways; and no commercial vehicle or interurban commercial vehicle or trailer operated hereunder shall ever carry more than 10 per cent in excess tonnage over and above its registered carrying capacity. Any person or persons driving or operating or permitting to be driven or operated any vehicle whose gross weight exceeds the maximum weights prescribed herein shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not exceeding two hundred (\$200) dollars. The maximum gross weights prescribed herein for commercial vehicles and interurban commercial vehicles shall apply also to trailers.

(j) To be inserted:

(k) Anything to the contrary notwithstanding, upon application in writing to the State Highway Department, said Department in its discretion may issue a special permit to the owner or operator of any vehicle allowing heavier or wider loads than named herein, to be moved or carried over and on the public highways and bridges. They may also issue such special permit to increase the permissible width per inch of width of tire. Such permits shall be in writing and they may limit the time and use of operation over the said highways and bridges which may be traversed and may contain such special conditions and provisions and require such undertaking or other security as the said Department shall deem to be necessary to protect the public highways and bridges from injury, or provide indemnity from any injury resulting from such operation. All such special permits shall be carried in the vehicle to which they refer and upon demand shall be open to inspection to any peace officer or employee charged with care or protection of public highways.

(l) The owner, operator, driver or mover of any vehicle, object or contrivance over a public highway or bridge shall be jointly and severally responsible for all damages which said highway or bridges may sustain as the result of driving, operating or moving such vehicle and the amount of such damages may be recovered in an action of law by the authorities in control of such highway or bridge.

(m) Applications for the registration of commercial and interurban commercial motor vehicles shall state whether the vehicle is for operation in one or more counties, naming them; and, if more than one, distribution of one-half of the license fee paid for the registration of the vehicle shall be made by the county tax collector to whom the fee is paid among the counties in which such motor vehicle is operated on a mileage basis.

Sec. 2. Sections 2 and 3 of Chapter 113 of the General Laws of the Regular Session of the Thirty-sixth Legislature be and the same are hereby repealed.

Sec. 3. The importance of the amendment of Chapter 113 and the repeal of Sections 2 and 3 thereof, creates an emergency, and an imperative public necessity requiring the suspension of the constitutional ruling providing that bills shall be read on three several days in each house and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,  
Austin, Texas, July 10, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, a majority of your Committee on Insurance and Banking, to whom was referred

S. B. No. 122, A bill to be entitled "An Act providing for whole family insurance, and the deposit with State Treasurer of \$100,000 in cash or its equivalent in valid securities for protection of policies issued, and declaring an emergency,"

Have had the same under consideration and we, a majority of your Committee, beg leave to report the same back to the Senate with the recommendation that it do not pass.

SMITH, Chairman.

(Minority Report.)

Committee Room,  
Austin, Texas, July 10, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We a minority of your Committee on Insurance and Banking, to whom was referred

S. B. No. 122, a Bill to be entitled "An Act providing for whole family insurance, and the deposit with the State Treasurer of \$100,000 in cash,

or its equivalent in valid securities, for protection of policies issued, and declaring an emergency,"

Have had the same under consideration, and we a minority of your Committee beg leave to report the same back to the Senate with the recommendation that it do pass and be printed in the Journal only.

SMITH,

By Smith, Williford, S. B. No. 122  
Suiter.

#### A BILL To Be Entitled

An Act to amend Sections 1 and 2 of an Act approved April 4, 1917, Chapter 192, Senate Bill No. 167, entitled, 'An Act to provide whole family protection for members of fraternal benefit societies and declaring an emergency,' also to require a deposit and the investment of the reserves by insurance companies and fraternal societies,' and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Sections 1 and 2 of an Act approved April 4, 1917, Chapter 192, entitled: "An Act to provide whole family protection for members of Fraternal Benefit Societies and declaring an emergency" be amended to read as follows:

"Sec. 1. Any fraternal benefit society authorized to do business in this State may issue certificates for the payment of sick, death, annuity or other benefits upon the lives of children between the ages of one and eighteen years who have been examined and approved in accordance with the laws of such society provided that the application for such a certificate shall be made by a parent or guardian of such child or some person upon whom such child is dependent for support. When such child arrives at the age permitting a personal application for insurance under the laws of such society, the certificate issued under this provision may be exchanged for any other form of certificate issued by the society, such exchange to be in accordance with the Constitution, laws and regulations of such society. The free designation of a beneficiary in such exchange being left to such child.

That such society shall not issue any such certificates until after it

shall have simultaneously put in force, at least, five hundred such certificates on each of which, at least, one assessment has been paid; nor where the number of lives represented by such certificate falls below five hundred.

That the net beneficiary assessment collected upon such certificate shall be based upon the Standard Industrial Table of Mortality and interest at the rate of three and one-half per centum per annum, or upon a higher standard. The net beneficiary funds so collected shall be kept as separate and distinct funds and shall not be liable nor used for the payment of debts and obligations of the society other than the benefits herein authorized.

That death benefits shall be made to increase with advancing age but shall not exceed the sum specified in the following table, the ages herein specified being the ages at the time of death:

Between the ages of	Amount
2 and 3.....	\$ 34.00
3 and 4.....	40.00
4 and 5.....	48.00
5 and 6.....	58.00
6 and 7.....	140.00
7 and 8.....	168.00
8 and 9.....	200.00
9 and 10.....	240.00
10 and 11.....	300.00
11 and 12.....	380.00
12 and 13.....	460.00
13 and 16.....	520.00
16 and 17.....	612.00
17 and 18.....	700.00

"Sec. 2. That, within sixty days after the passage of this Act, all insurance companies, corporations, associations or fraternal beneficiary societies issuing policies or certificates of insurance on the lives of children in this State shall deposit with the Treasurer of this State the sum of One Hundred Thousand Dollars in cash or United States Government bonds or Texas State, county, city, school or road district bonds of the par value of One Hundred Thousand Dollars. Said cash, or bonds, so deposited to remain in the possession of the State Treasurer to guarantee the payment of all contracts so issued on the lives of children. The deposit herein required to be made with the State Treasurer

shall not be withdrawn so long as there are any outstanding policies, or certificates, unsecured, issued on the lives of children in this State.

If for any reason the amount of cash, or bonds, so deposited shall be depleted, additional deposits must be made so that the full amount of One Hundred Thousand Dollars in cash, or bonds, shall be at all times in the hands of the State Treasurer. A failure to maintain for thirty days said sum of One Hundred Thousand Dollars shall revoke the right of such company, association or society to do business in this State.

"Sec. 3. All insurance companies, associations, or fraternal beneficiary societies issuing policies, or certificates upon the lives of children in this State shall invest all of the reserves carried on such policies, or certificates, issued upon the lives of children in this State in Texas securities, or United States bonds of any issue. And such insurance companies, associations and fraternal societies shall, when they make their annual reports to the Insurance Commissioner of this State, also report the reserves carried on policies, or certificates, written on the lives of children in the State of Texas and in what Texas securities or United States bonds such reserve is invested.

If any insurance company, association or fraternal society shall fail or refuse to invest reserves as aforesaid in Texas securities or United States bonds, the Commissioner of Insurance, upon thirty days' notice, shall cancel the right of such company, association or fraternal society to do business in this State.

"Sec. 4. That all laws and parts of laws in conflict herewith, be and they are hereby repealed.

The fact that the special legislative session will likely last but thirty days, that the calendar is already in a crowded condition, and that it is essential to the welfare of the people of this State that this measure shall at once become effective, creates an emergency and an imperative public necessity, requiring that the constitutional rule which provides that bills shall be read on three several days shall be suspended and said rule is hereby suspended and this Act shall take effect and be in force

from and after its passage, and it is so enacted."

### Enrolling Committee Reports.

Committee Room,  
Austin, Texas, July 9, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 97 copy of which is hereto attached and find it correctly enrolled, and have this day at 10:50 o'clock a. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Dudley & Page. S. B. No. 97.

### A BILL To Be Entitled

An Act to amend Article 1121, Chapter II, Title 25 Revised Civil Statutes of the State of Texas 1911, relating to private corporations by adding thereto, a section providing for the formation of private corporations for accepting, guaranteeing, endorsing, becoming surety upon, buying, selling, contracting with reference to, or otherwise dealing in acceptances, bills of exchange, bills of lading and warehouse and other receipts, involving agricultural products, and in buying, selling, endorsing, contracting with reference to, or otherwise dealing in bankers' acceptances, prescribing securities in which a portion of the capital of such corporations shall be kept invested, fixing limitations upon their indebtedness, subjecting them to the supervision of the Commissioner of Insurance and Banking, authorizing private corporations, banking corporations and trust companies to hold stock in such corporations, and in corporations chartered under the laws of the United States or any state thereof, and principally engaged in financing domestic or foreign trade in such agricultural products, providing penalties for violations of this Act, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1121, Chapter II, Title 25 Revised Civil

Statutes of the State of Texas be amended by adding thereto section reading as follows:

Private corporations may be formed for the purpose of accepting, guaranteeing, endorsing, becoming surety upon, buying, selling, contracting with reference to or otherwise dealing in acceptances, bills of exchange, bills of lading and warehouse and other receipts growing out, or to be used in aid, of the transportation, warehousing, distribution, or financing, in either domestic or foreign trade, of readily marketable, staple, non-perishable, agricultural products and so executed or supported as to be secured upon or to represent such products in amounts at least equal in clear market value to the amount of the financial undertaking of such corporations upon or on account of such instruments. Any such corporation may also buy, sell, endorse, contract with reference to, or otherwise deal in, acceptances of approved banking corporations, not secured upon or representing any such products, but eligible for re-discount to, or for purchase in the open market by, Federal Reserve Banks; provided however the total liabilities to any corporation chartered under this Act of any such banking corporation, on account of any such unsecured acceptances, shall at no time be permitted to exceed ten per cent of the unimpaired capital of such corporation chartered under this Act. No corporation shall be chartered under this Act with authorized capital stock of less than \$500,000.00, nor shall the authorized capital stock of any such corporation be reduced by amendment, to less than \$500,000.00. By readily marketable, staple, non-perishable, agricultural products are meant those classes of agricultural products which are subject to such constant dealing in ready markets as to make their values easily and definitely ascertainable and realizable on short notice and which are not ordinarily subject to substantial depreciation in quality within the period of immaturity of the obligations which they secure or by which they are represented. Each corporation chartered under this Act shall invest and keep invested in obligations of the United States of America, the State of Texas, or political sub-divisions or

incorporated cities of the State of Texas, not less than one-half of its paid in capital.

No corporation formed under this Act shall enter into any contract or contracts of acceptance, guaranty, endorsement or suretyship when its obligation thereon in connection with its entire existing obligations and indebtedness primary or secondary, fixed or contingent, shall exceed five times its then unimpaired capital and surplus; provided however, if previously authorized in writing so to do by the Commissioner of Insurance and Banking, it shall be lawful for such corporation to enter into such contract or contracts when its obligations thereon in connection with its said entire then existing obligations and indebtedness shall not exceed ten times its said capital and surplus and shall not exceed the limits fixed by the written authorization issued by such commissioner, and all such contracts and obligations entered into in violation hereof shall be unenforceable against such corporation; provided further that those obligations, to pay which at maturity, any such corporation has been furnished funds by other parties liable thereon, need not be considered in determining the amount of its existing obligations and indebtedness under this paragraph; provided, however, that nothing contained in this Act shall prevent the enforcement of any such prohibited obligation by any holder who has acquired the same in due course, for value, before maturity, and without notice of its infirmity.

It shall be lawful for any private corporation formed under Title 25 of the Revised Statutes of Texas and for any banking corporation or trust company (excepting Savings Banks) formed under Title 14 of the Revised Statutes of Texas to hold stock in corporation chartered under this Act and in corporations chartered under the laws of the United States or any state thereof and principally engaged in financing domestic or foreign trade in any such agricultural products, in amounts not to exceed in the aggregate, ten per cent of the capital and surplus of such private corporation, banking corporation or trust company, nor to exceed ten per cent of the capital stock of such corporation in which such stock is to be held; provided, however, no banking corporation or trust company shall acquire stock in such corporation without express writ-

ten authorization therefor from the Commissioner of Insurance and Banking of the State of Texas, under such rules and regulations as he may provide, except in payment of debt, and if it shall acquire same in payment of debt, it shall promptly dispose of same unless expressly permitted to retain same by such Commissioner of Insurance and Banking.

Corporations formed under this Act shall be subject at all times to the supervision and control of the Commissioner of Insurance and Banking of the State of Texas and shall conform to all lawful regulations of such Commissioner. No such corporation shall begin business until authorized so to do by such Commissioner after satisfactory showing made that such corporation has complied with the law, and thereafter it shall make such reports to such Commissioner and be subject to such periodical visitations and examinations under his direction, and shall pay fees therefor, all as in the case of State Banking corporations under existing law. Said Commissioner shall have such powers with reference to taking charge of such corporations, liquidating same, and for like causes, as are possessed by him with reference to State banking corporations. No partial invalidity of this Act in any other respect shall be effective to impair any of its provisions authorizing the formation of corporations hereunder, defining their powers, and authorizing private corporations, banking corporations and trust companies to hold stock in them, subject to the limitations of this Act.

Sec. 2. Every officer, director, employee and agent of any corporation chartered under this Act who shall knowingly violate any provision of this Act, or shall knowingly cause such corporation to violate same, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$200.00 nor more than \$1,000.00 or by confinement in the county jail not less than three months nor more than one year or by both such fine and imprisonment.

Sec. 3. The importance of this Act to the people of the State of Texas who desire to make provisions for financing the crops of agricultural products to be produced during the year 1919 and during succeeding years and the fact that no adequate

laws now exist for the formation of corporations to finance such crops creates an emergency and imperative public necessity to suspend the Constitutional rule requiring bills to be read on three several days in each House, the said rule is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,  
Austin, Texas, July 9, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully examined and compared Senate Concurrent Resolution No. 16 copy of which is hereto attached and find it correctly enrolled, and have this day at 12:05 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Hertzberg. S. C. R. No. 16.

Whereas, it is reported through the press that a resolution it to be introduced in the House of Representatives of Texas demanding the resignation of the Hon. W. A. Hobby, Governor of Texas; and,

Whereas, said resolution is based on the Blue Ridge Committee report heretofore adopted by the Senate and House of Representatives; and

Whereas, said report fails to disclose any conduct on the part of the Governor warranting a demand for his resignation, and fails to disclose any lack of integrity on the part of the Governor; and,

Whereas, the effect of the introduction of such a resolution would be an attempt to discredit the Governor in the eyes of the people of Texas and to reflect upon his integrity, and to cast a slur upon the good name of this State. Therefore, be it

Resolved, by the Senate, the House of Representatives concurring, that we express our confidence in the integrity and trustworthiness of the Honorable W. P. Hobby, Governor of Texas; and be it further

Resolved, that the introduction of such resolution, demanding his resignation, would be unfair, unjust and unwarranted.

## FIFTEENTH DAY.

Senate Chamber,  
Austin, Texas, July 11, 1919.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Gibson.
Bailey.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Parr.
Carlock.	Rector.
Clark.	Smith.
Cousins.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Absent—Excused.

Johnston.	Page.
McNealus.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

## Petitions and Memorials.

There were none today.

## Standing Committee Reports.

See Appendix.

## Bills and Resolutions.

By Senator Westbrook:

S. B. No. 140, A bill to be entitled "An Act making appropriations for the support of the State Government for two years beginning September 1st, 1919, and ending August 31st, 1921, and for other purposes, and prescribing certain regulations and restrictions in respect thereto; and declaring an emergency."

Read first time and referred to Committee on Finance.